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JOURNAL
OF
THE SENATE
OF
THE STATE OF INDIANA:
BEING THE
TWELFTH SESSION
OF THE
GENERAL ASSEMBLY;

BEGUN AND HELD
AT INDIANAPOLIS, IN SAID STATE,
On Monday the third day of December, 1827.

INDIANAPOLIS, IND.
SMITH AND BOLTON, STATE PRINTERS.

1827.

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SENATE

OF

THE STATE OF INDIANA.

The twelfth session of the General Assembly, of the state of Indiana, commenced this day, to wit: Monday the third day of December, being the first Monday in December, eighteen hundred and twenty-seven, at Indianapolis, in the county of Marion; conformably to the Constitution of the state.

PRESENT IN SENATE,

The Hon. J. H. Thompson, Lieutenant Governor of the state of Indiana, and President of the Senate, who took the Chair and called the members to order; and,

From the counties of Switzerland and Ripley—William Cotton.

From the county of Dearborn—John Watts.

From the county of Franklin—David Oliver.

From the counties of Fayette and Union—Ross Smiley.

From the county of Wayne—James Rariden.

From the counties of Randolph, Allen, Rush and Henry—Amaziah Morgan.

From the counties of Decatur, Shelby, Johnson and Morgan—James Gregory.

From the counties of Marion, Hendricks, Hamilton and Madison—Calvin Fletcher.

From the county of Washington—Marston G. Clark.

From the counties of Jefferson and Jennings—Israel T. Canby.

From the counties of Orange and Lawrence—John Milroy.

From the counties of Clark and Floyd—John S. Simonson.

From the counties of Gibson, Pike and Dubois—Isaac Montgomery.

And the following gentlemen having been elected since the last session of the General Assembly, to fill the vacancies of

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those members of the Senate, whose terms of service had expired, now appeared, produced their credentials, and having been sworn into office by the Hon. Bethuel F. Morris, President Judge of the fifth Judicial Circuit, took their seats, to wit:

From the county of Harrison—Daniel C. Lane.

From the counties of Spencer, Perry and Crawford—John Daniel.

From the counties of Posey, Vanderburgh and Warrick—Thomas Givens.

From the counties of Knox, Daviess and Martin—John Ewing.

From the counties of Jackson, Scott and Bartholomew—William Graham.

From the counties of Monroe, Owen and Green—David H. Maxwell.

And from the counties of Parke, Putnam, Montgomery, Fountain, Tippecanoe and Vermillion—James Blair.

On motion by Mr. Clark,

The Senate proceeded to the election of a Secretary; Messrs. Gregory and Oliver having been appointed tellers; when, on counting the ballots, it was found that James Dill had received the votes of all the Senators present, the said James Dill was therefore declared to be duly elected Secretary of the Senate, and being present, acting as such, by virtue of his former appointment, was sworn into office by the Hon. B. F. Morris, the judge aforesaid.

On motion by Mr. Clark,

The Senate proceeded to the election of an Assistant Secretary; when, after two several ballotings, John H. Farnham was declared to be duly elected assistant secretary to the Senate, he having a majority of all the votes present, to-wit: eleven votes, and being called into the Senate chamber, was sworn into office by the judge aforesaid.

On motion by Mr. Smiley,

The Senate proceeded to the election of an enrolling secretary; when, upon counting the first ballot, it was found that James M. Ray had ten votes, Rollin C. Dewey had nine votes, and one ticket was blank. The Senate therefore considering that no person had a majority of all the votes present, proceeded to a second balloting; the result of which was, that James M. Ray had ten votes, and Rollin C. Dewey ten votes, for enrolling secretary—and the Senate being equally divided, Mr. Rariden moved to postpone the election until tomorrow afternoon, which motion did not prevail. The President of the Senate then delivered an opinion, that it was his

duty and right, under the constitution of this state, to give the casting vote in the aforesaid election; from which opinion of the President, Mr. Rariden took an appeal to the Senate; and the question being put, is the opinion of the President correct? and some discussion had thereon, previous to coming to any decision thereon, a motion was made to adjourn to two o'clock, which motion prevailed, and the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M. 3d Dec. 1827.

The Senate assembled.

On motion by Mr. Simonson,

Resolved, That the Secretary of State furnish to each member of the Senate, a copy of the Journals of the last session, a copy of the Revised Code of Laws, and a copy of all subsequent laws of this state.

The following message was received from the House of Representatives, by Mr. Thoraton:

MR. PRESIDENT,

The House of Representatives have adopted the following resolution, to-wit:

Resolved, That the Senate be informed, that the House of Representatives have met, formed a quorum, elected Harbin H. Moore, Speaker; Henry P. Thorton, Principal Clerk; Jas. F. D. Lanier, Assistant Clerk; Austin W. Morris, Enrolling Clerk, and Thomas White Doorkeeper; and are now ready to proceed to legislative business.

The Senate again resumed the consideration of the question relative to the right of the President to give the casting vote, in the election of Enrolling Secretary, on the appeal taken in the forenoon, from the decision of the President; when, after considerable discussion had, and previous to any decision thereon, a motion was made to adjourn, which motion prevailed, and the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, DECEMBER 4th, 1827.

The Senate assembled.

Mr. Ewing, offered for consideration and adoption the following preamble and resolution.

Whereas, upon counting the ballots on yesterday, for enrol-

ling Secretary to this House, during the present session, it appeared that James M. Ray had ten votes, R. C. Dewey had nine votes, and no other person had any vote for the said station: Therefore,

Resolved, That James M. Ray having received a majority of all the votes given, is duly elected Enrolling Secretary for the present session.

Which preamble and resolution, the President of the Senate decided to be out of order, because the matter embraced in said resolution was already before the Senate in another shape, and not yet disposed of, from which decision of the President Mr. Ewing took an appeal to the Senate, but the said appeal was not seconded.

Mr. Montgomery moved that the Senate do now proceed to the election of an Enrolling Secretary—and before any question, was taken on this motion, Mr. Clark called for the previous question, and on the question, shall the main question be now put? It was decided in the affirmative.

And on the question being stated from the Chair, was the decision of the Chair, relative to his right to give the casting vote in the election of Enrolling Secretary, correct? The ayes and noes being demanded by two members:

Those who voted in the affirmative, were

Messrs. Clark, Daniel, Givens, Graham, Lane, Maxwell, Milroy, Montgomery and Simonson—9.

And those who voted in the negative, were

Messrs. Blair, Canby, Cotton, Ewing, Fletcher, Gregory, Morgan, Oliver, Rairden, Smiley and Watts—11.

So it was decided in the negative.

And on motion by Mr. Cotton,

The election of an Enrolling Secretary was postponed until to-morrow morning, by common consent.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives had adopted the following resolution:

Resolved, That a committee be appointed to wait upon the Rev. Mr. Bush, and request his attendance in the Hall of the House of Representatives, to open the session by solemn prayer, that the Senate be informed thereof, and their attendance requested; and that seats will be provided for them on the right of the Speaker's Chair.

On motion by Mr. Gregory,

The Senate now proceed to the election of a Doorkeeper, Messrs. Watts and Maxwell having been appointed tellers; when, upon counting the ballots, Charles I. Hand was declared

to be duly elected Doorkeeper, for the Senate of Indiana, during the present session, and Mr. Hand being in waiting as Doorkeeper, by virtue of his former appointment, was called to the Secretary's table, and sworn into office by the Hon. B. F. Morris, President Judge of the fifth judicial circuit.

On motion by Mr. Simonson,

Resolved, That the House of Representatives be informed, that the Senate have convened, have formed a quorum, have elected James Dill, Secretary, John H. Farnham, Assistant Secretary, and Chas. I. Hand, Doorkeeper; and are now ready to proceed to legislative business, and Mr. Farnham was directed to communicate that information to the House of Representatives.

On motion by Mr. Canby,

Resolved, That the Senate accept the invitation of the House of Representatives, and will immediately attend in the Hall of that House, to open the session of the present General Assembly, by a prayer from the Rev. Mr. Bush.

And thereupon the Senate proceed to the Representatives' Hall, where they took their seats on the right of the Speaker's chair, and after hearing a most impressive, instructive and eloquent prayer, returned to their chamber.

On motion by Mr. Gregory,

Resolved, That a committee be appointed on the part of the Senate, to act in conjunction with a committee to be appointed on the part of the H. of R. to wait on his Excellency the Governor, and inform him, that both houses of the General Assembly have met, elected their officers, and are now ready to proceed to legislative business—and to learn of him whether he has any communication to the legislature, and at what time and place he will please to make such communication, that the House of Representatives be informed thereof, and the adoption of a similar resolution on their part requested; and that Messrs. Gregory and Ewing have been appointed that committee on the part of the Senate.

On motion by Mr. Ewing,

Resolved, That the rules for the government of the Senate, be referred to a select committee, with power to amend the same, if deemed necessary, and report such amendments, (if any) to the Senate.

And Messrs. Ewing, Oliver, Maxwell, Graham and Canby, were appointed that committee.

Mr. Thornton, Principal Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have adopted the following resolution, to-wit:

Resolved, That a committee be appointed by the House of Representatives, to act with a similar committee to be appointed on the part of the Senate, to wait upon His Excellency the Governor, and inform him that a quorum of both Houses of the General Assembly have met, have elected their officers, and are now ready to receive any communication he may be pleased to make to them; and to learn of him at what time and place he will make such communication; that the Senate be informed thereof, and a similar committee on their part requested; and that the House of Representatives have, on their part, appointed Messrs. Reid of Daviess, and Martin, and Stapp, said committee.

On motion by Mr. Fletcher,

Resolved, That the President of the Senate now proceed to appoint the standing committees, made necessary by the rules and orders for the government of the Senate, to act until a revision of said rules and orders may be reported and adopted by the Senate.

Mr. Gregory, from the joint committee appointed to wait on the Governor and inform him, that both houses of the General Assembly had convened, and formed quorums; and to learn from him whether he had any communication to make to them, and if so, at what time and place he would be pleased to make the same; now reported, that the joint committee had performed that duty, and had received for answer, that he will this day, at two o'clock, P. M. deliver to both houses of the General Assembly, in the Hall of the House of Representatives, his message in person.

The President laid before the Senate, the following communication from the Secretary of State, which was read and ordered to lie on the table, to-wit:

Secretary's Office, Dec. 1827.

The Secretary of State reports to the General Assembly, that, pursuant to law, a contract has been made with Messrs. Smith & Bolton, of Indianapolis, to do the public printing, for the term of three years, from the sixth day of October, ult. at the following prices: composition, at 25 cents per 1000 ems; press work, medium size, at 30 cents per token—royal size, at 35 cents per token.

Folding and stitching, at one cent per copy.

Paper of a quality to suit the views of the public agents, at the Cincinnati cash prices, and the cost of transportation.

A contract has been made with B. I. Blythe, for stationary

for the use of the present session of the General Assembly, at cost;

And with Robert Patterson for fuel, at ninety-five cents per diem.

Respectfully submitted,

WM. W. WICK.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

On motion by Mr. Morgan,

Resolved, That the joint rules for transacting business between the two houses of the General Assembly, adopted at the last session thereof, be adopted, on the part of the Senate, during the present session; and, that the House of Representatives be informed thereof, and a similar resolution, on their part, requested; and Mr. Farnham was directed to communicate that information and request.

Mr. Thornton, Principal Clerk of the House of Representatives, informed the Senate, that the House of Representatives, were now ready to receive the Senate in the Representative Hall, to hear the message from the Governor, and that seats were prepared for the Senate, on the right of the Speaker's chair; whereupon, the Senate withdrew to the Hall of the House of Representatives, where the following message was delivered to both houses of the General Assembly, by the Governor in person, to-wit:

Gentlemen of the Senate,

And of the House of Representatives:

On our assemblage as the servants of the people, and after an exchange of the customary salutations, let us cordially congratulate each other, that the last political year, has crowned with the most signal success the highest interests of our fellow citizens. To that *Being* in whose hands the destinies of Nations are, we next owe the offer of our thanks, upon the altar of gratitude, for the unmerited blessings which He has tendered to felicitate our condition, resolving not to abate our most fervent aspirations for their continuance.

Our yeomanry, aided by a fruitful season, have extracted from the soil by well directed industry, every substantial necessary plentifully, and in that rich variety which our choice

climate affords. To this may be added the welcome intelligence from each part of the state, that our inhabitants have been favored with a greater portion of health in the aggregate than they have for past years, giving us full evidence that our already acknowledged healthful country, is still improving in this inestimable enjoyment. At a time of profound peace and without any prospect of a rupture with any of those powers with whom the United States have relations, inhabiting a country possessing superior natural advantages to most others, and increasing in numbers with a rapidity which clearly foretells our brilliant destiny, what is more natural, than that the attention of those whose whole interest is identified with their countries, and whose affections are fixed on its glory, should be principally directed in laying that foundation upon which the present generation may build their own, and their posterity's permanent prosperity?

When we bring in review before us, the successive currents of emigration, which annually penetrate the deep recesses of the Western forest; when we behold the generous efforts of the enlightened Statesman and Philanthropist, for the establishment of primary and higher schools, that education may be equal and universal; when we witness the enterprize and industry of the people, their morality and order, the conclusion follows, that all the essential elements are concentrating to prosecute and consummate the great design of the social compact.

The acting population of Indiana being constituted principally by emigrants from each of the twenty-four state sovereignties, with a small number from most of the Christian powers of Europe, and possessing those prejudices and opinions concerning government and law, imbibed in early life, from those distinctive circumstances which surround separate communities, it is perfectly natural to expect, at present, an indescribable diversity of sentiment upon every project or regulation which may be submitted by those in authority, for consideration. To govern, or legislate for such a discordant body politick at once, to the satisfaction of *all*, is what the ablest lawgivers of Greece or Rome would not dream of effecting, were they present.— We may aim, as we ought, to make public opinion our guide in matters of expediency, but it will be for the statesman of some future age to shape the law which will be executed upon our whole society, without any indication of discontent. Then, if this is so, and we cannot change it, let us begin our task, and under the circumstances, make our best exertion in sincerity and honesty, and with all our ability for the general interest of those who have employed us.

Before I proceed to lay before you those subjects, which under the constitution I feel myself bound to submit, allow me in the name of the people, whose government this is, to request most solemnly, that during this session, those highly interesting and important matters upon which we must act conjointly, may claim your *whole* attention. If nothing should obtrude itself upon your notice but legitimate subjects of legislation, then, we shall find at the end of your labors, that reason, the soul of all good legislation, will have triumphed. Whoever attempts to hoist the standard of party, in or out of your body, tending to make principle subservient to political calculation and management, should be viewed as aiming a fatal blow at the public tranquility. If it is kept in mind, that party is the folly and madness of *many* for the benefit of a *few*, it will have but a small number of votaries.

At no period since the organization of our state government, have topics arisen of such vast concern and deep interest for legislative deliberation, as those upon which the members of the present session will be called upon to act. Questions of such great moment, and involving so much difficulty, responsibility and perplexity, as those alluded to, require the most calm, disinterested and intense reflection. The public eye is fixed upon the proceedings of this General Assembly, and it is expected that each member will do his duty, laying aside every extrinsic consideration.

Within the space of the last fifteen months, public lands have been granted to the state of Indiana, through the instrumentality of her public functionaries, estimated to be worth about one million, two hundred and fifty thousand dollars, free of cost, for special purposes. The objects and terms of those immense grants, may be seen by a reference to the two treaties made in the fall of the year 1826, with the Miami and Potawatamie nations of Indians; and two acts of the last Congress of the United States, now in the Secretary's office, which will be laid before you. It is believed that the most sanguine politician, will be unable to point to any combination of circumstances, which will again place under the control of the state, *in the same time*, and perhaps not for half a century—perhaps never, such extensive and valuable resources, for prosecuting a grand system of internal improvement to a successful termination, and for the ultimate production of a revenue that shall relieve our fellow citizens from taxation. Legislatures that have formerly sat, have been engaged in theoretical disquisitions into the expediency of making considerable commercial improvements in the interior of the state; but not having the means within their grasp, which

alone can give vitality and certainty to such gigantic undertakings as were conceived, no decisive step has yet been taken. What has been said and done, having but little other effect than to invite discussion, and enliven the public mind to its best interests, the honor seems to have been reserved to the representatives of the people, now present, to act efficiently in relation to those public works, of which the highest expectations are entertained.

A tract of land, five miles in width, and in length the whole distance of a survey now making by a brigade of United States' engineers, commencing at the mouth of Tippecanoe river, and running northeast along the valley of the Wabash and its tributaries, to Fort Wayne; thence down the Maumee of the Lake, to the mouth of the Auglaize river, or lower, a distance of about one hundred and sixty miles, is granted to this state, for the purpose of making a *Canal*, to connect the waters of the Wabash with Lake Erie—and the Miami treaty provides for its location through *all* the Indian reservations. Another tract of land has been obtained by treaty with the Potawatamie Indians, during the fall of 1826, and since ratified by the Senate, equal to one section of *good land*, for each mile of the *whole* distance, from Lake Michigan to some convenient point on the Ohio river, *to make a turnpike road*. These two grants are placed under the absolute control of the Indiana Legislature, for the purposes above mentioned. The road grant is without condition. The canal grant, though subject to certain conditions, presents nothing in them that ought reasonably to make your body hesitate to adopt that course, which will most certainly secure it from the contingencies, which the lapse of time, unimproved, must attach to it.

Since the recent survey and examination of this long contemplated line of internal communication, to connect the waters of the Lakes and the Wabash leave no doubt of its practicability; and it being in our power to avail ourselves of the splendid donation which has been proffered to us by the liberal hand of the General Government, the success of such a very valuable facility, should not be looked upon as any longer problemical. By a letter from Mr. Moore the engineer, engaged in this business, which will be submitted, you will perceive that the whole of this survey, will not be completed this fall, in consequence of sickness. The distance from the *summit* near Fort Wayne to the mouth of Tippecanoe river, that part of the survey which is completed, is one hundred and three and an half miles. The lockage, two hundred and twenty two feet.

This may be all the estimate we shall have before us at this

session. No data is furnished as to the cost. But, most of the enterprizes for inland navigation in the U. S. finding their origin in the New York Canals, we may look to their successful execution and demonstrated utility, for information and reasons to sustain us in making the adventure, which we are now called upon imperiously to make. Estimates of Canals have been made for a variety of widths and depths, and on almost every kind of surface, both in Europe and in America; so that the Legislator may form an idea of the expense of almost any imaginary route. The profits of Canal stocks, judiciously invested in England, doubtlessly suggested to the Americans, the transportation of whose productions constitute their greatest burthen, the idea of a similar policy. In deciding upon these great undertakings, it will not do to test them by a too penurious calculation of dollars and cents. Should the expense of our Wabash Canal exceed a million of dollars, it must be recollected, that we have under our controul means to that amount. If the profits of the Canal, when finished, shall produce the interest of whatever additional sum is required, and enough besides to extinguish that principal gradually, the credit of the state must remain unshaken by a loan. It is said by the most confidential writers, that all of the three hundred British Canals, have given satisfaction to the public and the stockholders. Ought we not then to seize upon this opportunity to furnish a memorable demonstration, that we know when and how to act for the general welfare when the occasion demands it? Prompt and decisive steps towards the commencement of this work on your part, will furnish the most unequivocal evidence, that you are not indifferent to the great *agricultural, manufacturing and commercial interests* which constitute the bone and sinew of society. Public men must be brave, and not suffer intimidation by the *probable* consequences that may arise out of "the chapter of accidents."

If you conclude to accept of this grant, as you certainly ought, the principal question which must next arise, will be: When and how shall it be disposed of? How appropriated, and to what objects?

The first proposition resolves into two others, as follows: Is it better to sell the land now, or at a subsequent time? Shall it be sold for cash in hand, or on a credit? After examining this subject carefully, I have become satisfied that it would be impolitic to require a sale of these lands, at any period prior to the completion of whatever improvement may be agreed upon. And that when the auspicious time arrives for selling, that the door to future difficulties should be closed, by requiring prompt

payment. Were you to authorise a sale on a credit, before the Canal is completed, with the view of raising the necessary means, many years must elapse, and much of the peoples money will be expended, in legislating on relief applications, in addition to the expense of a land office, before a fund will be raised, adequate to the proposed undertaking. Besides, retarding the work, is jeopardizing the grant, for the time is limited for its completion. Were you to offer the land for ready money, it would be inevitably subjected to a wasteful sacrifice; so great, in all probability, as to defeat the project altogether, by its not producing the sum of money *required or expected*. Hence, it follows, that a loan, should be resorted to as the least doubtful expedient, or, if that will not be acceptable, you might authorise an issue of paper, redeemable in the land at a minimum price, after it shall have been offered for sale.

When it is considered, that this land lies upon each side of the proposed Canal, you surely cannot remain long unpenetrated with the belief, that the difference in the amount of sales *before and after* its completion, will not greatly exceed any sum of interest, which may accrue on a borrowed principal. Interest ought not to be paid more than two years, which would be ten per centum on a given sum, whilst the presumption is strong, that the land would be increased in value, by the commercial advantages which would be appended to it, at the finishing of the work, more than an hundred per cent. The most solemn acts of legislation, will not supply the place of imposing reality; for the alarming idea of uncertainty will have its influence until active operations are commenced on the channel.

The treasury is the proper depository of the public money, requiring an additional bond of its officer. No question, however, can now arise, as to the safe keeping of the *proceed*, except you dispose of the land very differently, from what I believe you will.

The object to which the proceeds of the said land *must* be appropriated, according to the terms of the act of Congress making the cession to the state, *is a canal*. Whether this gratuity can be made by the best management, to produce a fund equal to the estimate for a Canal, is very uncertain. If the act had given to the state the privilege, to make use of the land, to construct either a Railway or a Canal, it could not be questioned that it would be altogether adequate to the finishing the one, though it might fall short as to the other. Railways, are rapidly bearing away the palm of usefulness, from actual experiment, from all other commercial facilities. In latitudes as far north as the valley of the Wabash, their equal utility at least,

may be fully illustrated. Their cost for the same distances, and constructed on the same natural surface, would be, in this country, about half that of a Canal. Equal burdens to any that can be asported on a Canal may be transported on them, and with *double* the velocity of which the former is susceptible. During the season at which a Canal is closed up with ice, the Railway is fit for use. The Canal is often the harbinger of disease, engendered by the frequent overcharges of water, that escapes and forms reservoirs, and there becomes a stagnant pool; whilst Railways, are exempt from this disadvantage. There being perishable materials in both, the one is not perhaps more apt to get out of repair than the other. Freight being proportioned to the cost, would be less on the Railway than the Canal. In "connecting seas, lakes or rivers near the tropics, Canals may claim the pre-eminency; but to unite streams which are themselves only a part of the year navigable, the Railway appears to possess much consistency. A Railway would do the whole business—a Canal *could* do no more. The former would bring as much money into the treasury as the latter. It is said that Congress would not hesitate upon your memorial, to change the act, so as to enable you to adopt the railway, if thought most expedient. Suppose that the grant of land can be made worth a million of dollars: this sum will not make a canal on the late location, but seven hundred thousand dollars will make a railway on it; leaving a surplus of three hundred thousand dollars for some other object. This sum laid out for the construction of another railway, in some populous part of the state, would complete an additional line of seventy miles. If this sum should be appropriated, with a view of enriching the treasury, it is believed that there is no part of Indiana, where it could be more advantageously expended, than in the White Water country, to make a railway from Lawrenceburgh, on the bank of the Ohio river, to a point on the national road, in Wayne county, and as much farther north as the means will carry it, towards Fort Wayne. Whether such improvements are viewed with reference to the markets, which they aim to make accessible to the people, or with reference to the revenue which they would secure to the treasury, they are thought equal to any other in importance. Were this fund thus appropriated, our inhabitants would soon be released from the payment of taxes, for the support of the state government. Three per cent. on the capital invested, would bring into the treasury a sum equal to the revenue of the present year, raised from the people of Indiana.

Were you to conclude that railways are preferable to canals,

and not be disposed to appropriate the surplus remaining, after making one from the Wabash to the Lakes, that sum might be advantageously applied, if not prohibited by Congress, to the improvement of the various state roads, now discouraging to the traveller, in certain seasons. It is not my intention, by these remarks, to recommend to you that steps *ought* to be taken, to change the Wabash canal into a railway; but merely to lay the subject, connected with a few remarks, before you for your consideration, at the *special* request of many distinguished citizens of Indiana. No one can be more fully impressed with the belief, than myself, that there exists an obligation upon us to take some prudent step to construct the best work, on the survey now in progress, which will afford an outlet for the *bread* and meat of Indiana, to the northern lakes: and in order that we may determine wisely, what is best calculated to answer the common object we have in view, the *advantages* and *disadvantages* of both these facilities may with propriety, be compared. Our object must be to produce the greatest possible good, with the least possible inconvenience. Whatever will carry the flour, pork, beef, potatoes, and other productions of our soil to a good market, with the most expedition and the smallest expense, as well as most safely and securely; and return those articles of merchandise which the people must and will have, in the same manner, is what is wanted. If, however, you prefer a Canal, as is most generally and reasonably supposed you will, I will cheerfully devote a portion of my time and services, in co-operation with you, for the furtherance of this project, which has long since had my approbation.

Whatever has been said, as to the course which suggests itself to me as the proper one, with respect to the canal grant, in relation to sale and loan, will apply to the cession to make the Potawatamie road. No pledges which you can give beforehand, will make the land near this road, sell like the finished thoroughfare itself. If my conceptions of the policy are approved of, as the best in the *one* case, they are equally deserving in the other. You will, no doubt, organize a board of commissioners, to be appointed, composed of respectable men, to make the selection of the land ceded for the said road, so soon as it may be surveyed. Provided the present General Assembly fail to make a point on the Ohio river, at which the road shall terminate, the same board, composed of well qualified citizens, might be authorized, by law, to perform this difficult duty, as well as to employ an engineer and surveyor, and make the location to the Lake. A provision in

the law, authorizing the board to take such donations as might be offered, into consideration, might be productive of some good, by increasing the capital stock which may be created. Some newspaper essays have appeared, suggesting the propriety of applying to Congress for an additional grant of land, sufficient to make this a railway, upon a cheap and improved plan, which is at least worthy of your notice. I believe, however, that no utopian scheme, which may be brought forward, will find advocates, tending to delay the commencement of the road. Contracts for finishing it, ought not to extend beyond a year, from the time they are entered into; and then let the land be brought into market, to put a period to the payment of interest. Labor enough can be commanded: it is not supposed that any unnecessary delay will take place. It has been said, that contracts might be entered into for the land itself, yet this would be a doubtful policy; but by no means the worst which might be adopted.

It is by virtue of that power exercised by Congress, delegated by several express provisions in the Constitution, and sanctioned by the Administration of the General Government, to appropriate a portion of the National Treasury, or its sources, to make internal improvements, that this young state has been so *suddenly* placed upon that elevated ground it now occupies, as to ability, to become one of the first stars in the confederacy. And it is strange, that the exercise of a power, in the general dispensation of its blessings, so *just, general and equal*, and as necessary to the national wealth and name and prosperity, as light is to the material world, should meet with the formidable opposition that is arrayed against it. It is somewhat unaccountable that it is so. Is it because the Western and Northern states, by their masterly policy, are leaving their Southern sisters far in the rear, in their march to power? Is it because the *literal construction phalanx*, wish to scatter the public treasury within particular *tide water limits*, to the exclusion of the grain growing states? Do the rays of a southern sun, give that peculiar energy to the intellect, which enable the politicians within particular geographical lines, to take the only correct view of the Constitution? With them, the construction of a light-house is a regulation of commerce; or the gradual increase of the Navy and the erection of expensive harbours, along the sea coast, are provisions for the national defence; but roads and canals running into the interior, though the exchange of exchangeable commodities are greatly multiplied thereby, is neither. Suppose that the Western states were to submit

passively to this new construction of the Constitution, or that it should succeed in becoming the rule by which Congressional legislation is hereafter to be governed, may not the inquiry be *gravely* made, of what use will the National Treasury be to them, or one half of the states?

Seven or eight years hence, peace preserved, when the national debt shall have been extinguished, and there are a surplus of fifteen or twenty millions of dollars, to be disposed of, under the several powers in the federal charter, if this power is not sustained, how are these states to claim their just proportion from the Treasury? No other power can be found in that sacred instrument, which will authorize beneficial legislation for these states. We have no seaboard, consequently cannot obtain the passage of bills by virtue of the conceded powers. Yielding up this vital principle to this country, if a Western member introduces a bill for a road or a canal, he will be at once told that it is unconstitutional. Let us not treat this subject with indifference. *To give up this power, is to break the staff into pieces which supports us.*

Furthermore, it is believed, that we shall not be unmindful of the acknowledged maxim, that labor, and not our gold and silver or estates, constitute our wealth. This admitted, we shall not cease to venerate that course of conduct, wheresoever found, in public men, which is best calculated to call into requisition, the greatest quantity of productive industry. To do this, encouragement ought to be given to every department of labor, and to none more so, than the enterprising manufacturer, on account of his risque, and his capital employed. The citizens of that country, who cannot exchange the productions of their labor, for all their needful luxuries and necessities, are surely retrograding from national wealth. If this is our condition, let us at once begin to manufacture our necessities, and abandon our luxuries. If the staple commodities of the country will not command our clothing, and other articles we need, the sooner we exchange our taste, and make at home what we want, the better. If it is true, as your intelligence will inform you, that England furnishes us with clothing, and refuses our bread and meat, depend upon it the balance of trade is against us.

Stricklands' Reports, which the last legislature required to be subscribed for, have been received. To the friends of internal improvement, I must be permitted to recommend a careful perusal of this intelligent book. The principles and utility of Railways, Canals, Turnpike roads, &c. with the whole plan of formation, and the machinery used, are therein satisfactorily

developed. An investigation of this subject, must awaken and animate you, to labor for the construction of those vital arteries through which public wealth and individual property must flow.

Whether the General Government ought to yield up its sovereignty over the public lands remaining unsold within the limits of the states, is a question which has undergone much able discussion in Congress, and in state Legislatures; and has been noticed in an appropriate manner, by several of the state Executives. Whilst the general sentiment is collecting on so momentous a question to the west, the voice of Indiana should not remain unheard. The history of the American government and her legislation in relation to the public lands, furnish undoubted evidence, that it would not only be *just*, but *wise*, to yield up the public domain to the States, either for *general* or *special* purposes. It would be *just*, because each state ought to be placed on an equal footing, and the original states exercised sovereignty over the unappropriated lands within *their* boundaries, and deposited the proceeds within their Treasuries. It would be *wise*, because the expense of buying, surveying and selling the lands, and the legislation concerning them, reduce their value to an inconsiderable amount, at the Treasury. Nine tenths of the revenue are derived from duties on imports, and the public lands produce no more than about a twentieth part of the twenty odd millions of dollars, which annually arrive at the United States Treasury. Were the United States to relinquish to each state the quantity of land in it, for the purposes of *free schools* and *internal improvements*, in the state where the lands lie, the power which would be created by the intelligence such potent means would diffuse amongst all classes, and the works of art which would rise in majesty every where, would prove a better defence to the Union, in an hour of struggle, than an hundred thousand armed soldiers. This plan failing the scale of depreciation should be applied.—Lands remaining unsold after being offered, should be annually reduced in price, to the purchasers, under the true presumption that the best lands are first taken. Lands remaining unsold for a sufficient term of time, should then be given to the actual settler, after remaining on them for a defined period.—There are millions of acres in this state, that will not be sold for an age at the present rates, and not liable to taxation; but which would be occupied by the poor as a gift, in preference to tenantry. The government being composed of the people in it, will be strong and effective in proportion to the number of freeholders it contains. Where the citizen, the soldier and the land owner are combined in the same person, you will find

him defending his pass against the encroachments of an enemy like Leonidas at Thermopolæ.

Many views are taken with respect to the situation of the *old* unpatented lands. Nearly all agree, that something should be done to avert the unjust and unhappy consequences, which must result in time from a continuance of the present arrangement. The amount of debt due for public lands in the Western country, is truly discouraging, and evidently out measures the ability of the people to discharge it. It cannot be denied but what the government has indulged the purchaser already, by giving time, to the advantage of many; but there are thousands who have taken advantage of the tendered credit, who will still be unable to comply with its conditions. The same liberal sentiment, which has once given an extension of credit to land debtors, will surely take delight in a repetition of the good deed, if actual necessity demands it. And I have yet to hear the reason advanced, to justify the United States, acting on the principles of moral honesty, in ever receiving another forfeiture of the lands sold, for want of payment, which have been taken possession of by the actual settler. Reasons also less cogent, may be offered why forfeitures should not be exacted of any class of purchasers. The entries of those very lands, which now stand on the relief list, were made at a time when the whole monied concerns of the continent were a splendid delusion. These things took place in the *paper age*, when the country was literally inundated with a fictitious circulating medium, which every state in the Union contributed more or less to put into circulation. Forty odd Banks were incorporated in some states, at a single session of their Assemblies; and bank bills were flying through the land, like locusts of olden time. All who wished, could handle enough of them to enter one or more quarter sections of land, not looking for a failure in the paper, or a change of times. The United States, too, contributed their share largely at first, to give credit to this currency, by making it receivable at their land offices. Many thousand quarter sections were entered, with that bank paper, which are now unpaid for. When the Banks failed, the government stopped the receipt of their paper for land and demanded specie or its equivalent. The war also, connected with the Banks, left upon the people a spell, from which they did not recover for years afterwards.

Markets were then good, and prices for the productions of the soil were high. Every thing combined to make the citizen fix a false estimate upon real estate. But the picture is now turned. We have no armies to feed. The great mass of our

population have become agriculturalists. Production greatly exceeds consumption. There are no extraordinary armies in Europe to supply. And the staples of our country, *bread* and *meat* are excluded therefrom by prohibitions and restrictions. The inhabitants of the cities of the two Americas, and the manufactories of the northern, are the principal consumers.— These very land debtors, have also, been the pioneers of a country unimproved by roads and canals, and have been subjected to continuous risks, sacrifices and expenses, to convert their labor into money. They have by their prowess forced the savage to bury the tomahawk, and confronted danger and difficulty in all their most distressing forms; and have opened the path which now conducts the steps of the emigrant, in quiet and safety, into the Egypt of America. A flourishing and rival neighbor the Mexican Government, is also offering her lands to actual settlers, distinguishing not between alien or denizen.— These considerations with many other reasons, which might be urged, ought forever to banish from the councils of our country, the idea of taking the poor man's home, with the labor of his better days, as a forfeiture, for no other crime than that of penury. Congress may at once get rid of this troublesome subject by an effectual display of that magnanimity, which has always characterized that body. In all cases where eighty dollars have been paid as the entrance money of a quarter section, let them order a patent to issue for eighty acres of land. Two payments at this rate, would entitle the holder of a certificate to a quarter section. It does appear forcibly, that the circumstances under which the unpaid for lands were purchased, justice and policy all concur in requiring that much, at least at the hands of the General Government. If you think with me, speak to the Nation your sentiments on these matters.

The Surveyor General has just completed the survey of the boundary line between this state and the Territory of Michigan; according to an act of the last Congress, to the full extent of our claims. The boundary is fixed ten miles north of the southern extreme of Lake Michigan, giving to Indiana, upwards of fifty miles of territory bordering on it.

A communication which I have in my possession, from Col. Bomford, of the Engineer Department, at Pittsburgh, shews that this state has received arms and equipments, equal to eighty four muskets *more* than her returns entitle her. It may here be proper to observe, that, that Department has given me notice, that no one but the Executive of the state, is hereafter authorized to draw and receipt for our quota of arms, &c.

Due attention has not been paid to making returns to the

state Adjutant General's office by militia officers, which has kept our quota of Arms below our real strength. And the last General Assembly, inadvertently repealed the muster at which it was the duty of Company officers to make their returns, which occasions an additional cause of failure for this year. If the Commander in Chief, or the Adjutant General, were authorised to make the Annual return, according to the best information they could acquire, we would not, in future, suffer the usual loss of arms.

Though a well organised militia is the strong arm of the National defence, and the shield of our liberty, but little state Legislation has taken place respecting it, under the conviction that Congress is the proper body to build up an effective and general system for its discipline and government. That body has this power expressly given to it by the Constitution, reserving to the states the right of appointing *all* the officers and the authority of training. A sage maxim that uniformity, is the glory of this system, induced this delegation of power to the Federal Legislature. The Secretary of War, in obedience to an act of Congress, has been diligently arranging a system of tactics, predicated upon the public sentiment, and most congenial to our institutions, which an extensive correspondence has made quite manifest. The most important feature in this new system is, that which proposes to divide the militia into two classes, *active* and *sedentary*.

Experience has tested the fallacy of requiring the whole body of the militia in the United States, to perform actual services each year. And the two hundred thousand dollars, which are annually appropriated for arming and equipping the militia of the states, will never accomplish the design of its expenditure, for the increase of *militia men* far exceeds the number of persons furnished annually. This system proposes to raise a volunteer corps, in each state, in proportion to its population, who are to be armed and equipped completely. By this means but a small number, compared to the whole body of the militia, will be enrolled for actual service, and *none* but those who take a pride in serving their country, in arms. The sedentary will be called into service, if required, in times of trouble. Such an arrangement, will leave the *active Militia* without excuse in the performance of their duty, and will enable us to present a line, in the day of battle, which will be as terrible, in appearance, as it will be *willing* to handle the instruments of War. As a consequence, the *consciencious*, will be exempt in times of peace from duty, penalties, or equivalents, the active corps being voluntary. This bears no similitude to a standing army, for the

soldier is a local citizen, and the officer is appointed by the authority of the states; and no change is effected in the domicile of either. A "*Military Chieftain*," can neither command or corrupt it. It is expected that the officers and soldiers in the *active* militia will be paid for the few days they are in service, learning their duty, each year, and provisions furnished them with tents and camp equipage.

The cost of a military establishment, like the above, is thought to be the least expensive of any other. You will no doubt notice the letter of the Secretary of War, on this subject, to be found among the unfinished business of the last session, in a proper manner.

The board of visitors to the Bloomington Seminary, sat there, for the first time, on the first Thursday of the last month. They witnessed, with special satisfaction, the examination of the students, in the various branches of science and literature, to which their attention had been devoted by their able instructors. The proficiency to which many scholars had attained in the Latin and Greek languages, and in the Mathematics, presented both students and professors in the most favorable light. That portion of Seminary lands, which was sold in Monroe and Gibson counties, brought a fair price, producing near thirty thousand dollars. The interest upon this sum, together with the amount due the institution from the state, will produce an interest of two thousand dollars for its support. All unite in supposing, that the interest on the fund is now sufficient to justify the institution in taking the rank of a college, and to employ a President and other Professors; leaving a sum to be appropriated, each year, to purchase a library and apparatus. Your body is respectfully requested to give the institution a college charter. When all this shall have been accomplished, but little doubt is entertained, that the youth of Indiana can obtain their education at home, without performing an unnatural journey to another state for it. Proper regulations will follow, as a matter of course, so as to enable the poor to enjoy its advantages, as well as the rich.

You are again earnestly requested to proportion punishment to crime, more justly than the existing penal code demands. I must suggest the propriety of no one being punished, by imprisonment in the penitentiary, unless the nature of the offence would require a term of service not less than three years. A distinction between grand and petit larceny, especially, should be drawn. With an expectation that something would be done by this General Assembly, in this particular, no permanent contract has been made with a superintendant of the

prison, for its future management. This improvement in the criminal code, will enable the Governor to make a contract much more advantageous to the state, than he can if it remains in its present state. A committee was authorized, during the past summer to examine the penitentiary, and to inquire into its management, who performed their duty, and transmitted to me their report; which will be laid before you, together with a temporary contract with Col. Westover.

The attention of former legislatures, have been called to the propriety of improving the navigation of the two White Rivers. The number of boats which have descended these streams in safety, loaded for New Orleans, leaves no doubt as to the propriety of paying particular attention to them, as very valuable auxiliaries to the southern trader. A few hundred dollars annually appropriated for the purpose of cutting out sawyers, and removing some piles of drift, would very soon make their navigation for descending boats, in common rises of water, as safe as any one could desire or expect. The White River countries are beginning to produce a considerable surplus for exportation; which make it necessary that they should not be overlooked, whilst we are improving the navigation in other parts.

The permanent location of the National Road, has been completed this season, as far westward as the line dividing Indiana from Illinois. We shall look to the completion of this road with much anxiety, until it is finished. It has already occasioned the germs of towns, and farms are opening near it, upon the faith that no circumstance will occur to discontinue its progress. The passage of the bill before Congress, to remove the timber, as a preparatory step, is not less wise than politic.

The fate of a memorial to Congress of the last General Assembly, to sell the school sections, is not yet determined. As it is most probable that we shall not hear from it in time to act at this session, nothing will be said illustrative of that system of education, which appears to be dictated by the best experience, and supported by the strongest reasons; whenever this subject becomes a topic of legislation, however, I hope the voice of history and the tested theories of other governments will be noted; and that particular reference may be had to the improvement of the head, the heart and the body.

At the expiration of about two years, it will be necessary either to republish the present revised code, or one on an improved plan. The demand for those on hand is great, and the number of new counties organizing, and the increase of officers, will in that time, take the few that remain. Anticipating the

necessity which must arise, it is my intention to present to a future Legislature, a code of laws, both *civil* and *criminal*, for its consideration. In taking this step, the responsibility and cost will be on me. If, upon examination, it is believed to be an improvement upon our present volume, after undergoing the ordeal of legislation, and consequently the strictest scrutiny, it will become law. No liberal suspicion can be entertained that my object is dictation, when it is remembered that the Constitution gives this power to the Governor. He can either recommend the passage of a single law, or the adoption of an entire code. Whilst attempting to execute a work of this magnitude, I would be regardless of my own reputation, the greater honor of the state, and the still greater interest of the governed, were I not to avail myself of the advice of the first talents in the state. The greatest imperfection of the existing revised code is, that it contains but little, compared to the multiplicity of useful provisions which might be incorporated in a book of its kind. Codefication, commensurate with all the multifarious concerns of mankind, in which is to be found a remedy for every wrong, with a practical mode prescribed for seeking redress, so as *at once* to dispense with the common law, cannot be expected. But whilst this admission is made, I must be allowed my opinion, that principles of law enough might be selected, simplified, and written in a statute book, to enable the people generally, to form a tolerable correct idea of that system of jurisprudence which controuls their actions. And if the code contains wholesome provisions, it need not be asked whether they were original or borrowed from the beautiful maxims of the common law, the civil law, the Napoleon or the Livingston codes, than the last of which will none other contribute more abundantly to swell its pages with its sage precepts. This code does immortal honor to the distinguished luminary who penned it, and may, with proper modifications, be adopted by any state. Should we succeed in getting a code as replete with matter as this one is, the common law of England, and the British statutes made in aid of it, which have been declared in force in this state, may be abandoned as *obligatory*, in most cases, and made use of only as authority. Or, as it is not contended that a single effort can reduce all the unwritten to written laws, so as to embrace every possible case, or that the mind of any finite creature, can grasp at enough for the infinitude of human acts, the common law might be continued in force in all cases not within the perview of the code. The advantages such a code will af-

ford, will be, to enable the governed to know what the law is, and to have it in their power to acquire that knowledge without much trouble or expense. This is not now the case, nor will it ever be, so long as several thousand books of reports and elementary treatises must be read, to arrive at a full knowledge of the laws. A code may contain principles so epitomized, that a single sentence would give that information, relative to the common transactions of the world, which the labor of a week in books, would not so clearly establish. The presumption that no code can be suddenly made to comprehend *all* the cases which may occur in a community, as far advanced in civilization as ours, is no argument why we should not commence the work of self-government in *reality*, and go as far as we can, leaving the balance for posterity to do. As long as one country tamely submits to be governed by the laws and customs of another, it is not entirely free. Half a century has passed away since the declaration of our independence, and British laws still govern us. The earlier we commence shaking off this disreputable stigma upon the intelligence and capability of our countrymen, the sooner we shall be prepared to resort to the common law of England, as a body of philosophy, and hang it up only as a lamp in the land; and to resolve that no system, however grand and beautiful in all its symmetry and parts, which must remain a mystery to the multitude, and as inaccessible to it as the laws of Caligula, shall be the rule by which the conduct of *all* shall be squared. I shall hope that gentlemen of the bar will not suppose, that this attempt to promulgate the laws of the land, will be aimed at their *useful* profession, or condemn its practicability, until they see the book.

The *sales* and *entries* of lots in the town of Indianapolis, authorized by an act of the last session, from May last up to this time, amount to twelve thousand three hundred and seventy-four dollars.

The treasury is not in as good a condition as it was last year, on account of the reduction of taxes, which was authorized by the last session. The assessments of the past year, will not exceed thirty-three thousand dollars; of which it is not probable that more than twenty-seven thousand will be paid into the treasury, the balance being required for commission, delinquencies, mileage and advertising. An old balance in the treasury of \$19,234, as reported to me by the treasurer on the 31st of Dec. last, added to the sum of \$27,000, supposed to arrive at the treasury of this year's revenue, will make the sum of \$46,234 for the service of the current year,

except the amounts paid out since the said 31st of Dec. last, which the treasurer has not reported to me. The ordinary expenses of the present political year, ought not to exceed twenty-seven thousand dollars. In addition to the above, it may be expected that something will be realized from old delinquent lists. Our state debt is extinguished, except what is due the road and canal and seminary funds, which are payable at the pleasure of the state; the amount of which appeared in my last regular communication.

The existing revenue law will produce means enough for the common purposes of government in future. The polls are rapidly increasing, and a large additional quantity of land will be added, this year, to the old source of revenue.

I shall be at all times at my post, ready to co-operate with you, in any measure tending to preserve the Union of the states; public and private prosperity; the just and constitutional powers of the people; the powers of the several departments of the government free from encroachment; civil *liberty* and *equality*, with their original qualifications; the rights of private property, and the sanctity of individual contracts; the exercise of all the legitimate powers delegated to the central and national legislature at Washington; the unrelinquished rights of the states; a proper respect for the acts of those in authority, always tempered by the public sentiment—peace; the unqualified toleration of *religious* and *political* sentiment, without proscription, and the elements of that greatness to which our beloved country is destined, by the Ruler of the Universe, in her majestic march, to arrive at.

JAMES BROWN RAY.

December 4th, 1827.

After which, the Senate returned to their chamber; and,
On motion by Mr. Fletcher,

Resolved, That the public printer be directed to print for the use of the Senate, fifteen hundred copies of the Governor's message; and,

On motion, the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, DECEMBER 5, 1827.

The Senate assembled.

Mr. Thornton, principal clerk of the House of Representatives, now informed the Senate, that the House of Representatives have adopted the following resolutions, to wit:

Resolved, That the rules and joint rules, which were adopted at the last session of the General Assembly, of the state of Indiana, by the House of Representatives, for their government be, and the same are hereby adopted for the government of the House of Representatives, during the present session; and that the clerk furnish the public printer with a copy of said rules and joint rules, and direct him to print immediately 100 copies thereof, for the use of the members.

Resolved, That the clerk inform the Senate of the adoption of these joint rules, and request the adoption of the same on their part.

The following standing committees were now appointed, conformably to the rules of the Senate, to wit:

Committee of Ways and Means:

Messrs. Graham, Cotton, Canby, Simonson, Montgomery and Morgan.

Committee on the Judiciary:

Messrs. Rariden, Fletcher, Watts, Ewing, Lane and Clark.

Committee on Education:

Messrs. Maxwell, Gregory, Givens, Blair, Oliver, Watts and Ewing.

Committee on Military Affairs:

Messrs. Clark, Gregory, Morgan, Milroy, Oliver, Daniel and Smiley.

Committee on Elections:

Messrs. Givens, Daniel, Milroy and Blair.

On motion by Mr. Gregory,

Resolved, That the doorkeeper be instructed to procure for the use of the President of the Senate, a table with suitable drawers and locks.

On motion by Mr. Simonson,

Resolved, That a standing committee on Canals and internal improvements, be appointed on the part of the Senate.

And Messrs. Simonson, Ewing, Givens, Canby, Milroy and Fletcher were appointed that committee.

On motion by Mr. Smiley,

Resolved, That the Public Printer be directed to print five hundred copies of the Journals of the proceedings of the Senate, at the present session of the General Assembly; and that the Secretary be directed to furnish the Printer therewith, from day to day.

On motion by Mr. Maxwell,

Resolved, That the credentials of the newly elected members of the Senate, be referred to the standing committee on elections.

On motion by Mr. Fletcher,

Resolved, That a committee on enrolled bills be appointed.

And Messrs. Fletcher and Lane were appointed that committee.

Mr. Ewing, laid before the Senate the petition of William Burch and others, praying the passage of a law, compelling the owners of lands in the Lower Prairie, Knox county, to erect and keep up certain embankments; which was read and referred to a select committee, composed of Messrs. Ewing, Oliver and Blair, to report thereon.

On motion by Mr. Clarke,

Resolved, That a committee of two members be appointed to examine the unfinished business of the last session, and make report thereof.

And Messrs. Clarke and Daniel, were appointed that committee.

Mr. Gregory, offered for consideration and adoption the following resolution, to wit:

Resolved, That a committee be appointed on roads and highways, with instructions to report a bill to the Senate, equalizing the labour amongst the inhabitants of the several townships, in the counties in this state, and repealing the road tax on lands.

When, Mr. Ewing moved to amend the said resolution by striking the same out from the word "Resolved," and inserting in lieu thereof the following, "that a committee be appointed to enquire into the expediency of changing and revising the existing system of road laws, and report such amendments and changes as may appear proper and necessary."

And on the question, shall the original resolution as offered by Mr. Gregory, be so amended, it was decided in the affirmative, and the said resolution, as amended, was adopted.

And Messrs. Gregory, Ewing, Blair, Simonson and Rariden, were appointed the committee to carry into effect the objects of said resolution.

On motion by Mr. Simonson,

The communication yesterday received from the Secretary of State, relative to the public printing, etc. was now taken up, again read, and referred to the committee of Ways and Means.

Mr. Colman, from the counties of Vigo, Sullivan and Clay, who had arrived on yesterday, now appeared and took his seat.

Mr. Maxwell laid before the Senate, the petition of John Dunn, praying remuneration for certain damages, by him sustained, in consequence of a certain state road running through his land, and great destruction of timber thereby; which, (with the accompanying documents) was read and laid on the table,

Mr. Milroy laid before the Senate the petition of John Montgomery and others, citizens of Bono, in the county of Lawrence, praying the establishment of a state road from Bono, in Lawrence county, to Terre Haute, in Vigo county; which was read and referred to a select committee consisting of Messrs. Milroy, Colman and Maxwell, to report thereon.

On motion by Mr. Rariden,

The Senate now proceeded to the election of an enrolling secretary, Messrs. Maxwell and Watts, having been appointed tellers, when on counting the ballots, Rollin C. Dewey was found to be, and was declared to be, duly elected enrolling secretary, to the Senate, for the present session.

Mr. Dewey was then called into the Senate chamber, and sworn into office, by the Hon. Bethuel F. Morris, President Judge of the fifth judicial circuit.

On motion by Mr. Fletcher,

Resolved, That a committee be appointed to enquire into the propriety of organizing the county of Hancock, with leave to report by bill or otherwise.

And Messrs. Fletcher, Morgan and Gregory, were appointed that committee.

On motion by Mr. Milroy,

Resolved, That a committee be appointed, to take into consideration the propriety of memorializing Congress on the subject of granting further relief to those persons who are indebted to the United States for the purchase of public lands, &c. with leave to report thereon.

Which was read and ordered to lie on the table.

And on motion, the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Watts laid before the Senate the petition of the devisees of Thomas Watts, praying the passage of a law relative to the conveyance of certain lands therein named, which was read and referred to the committee on the Judiciary.

On motion by Mr. Ewing,

Resolved, That Messrs. Blair and Colman be added to the committee on Canals and internal improvements.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, DECEMBER 6, 1827.

The Senate assembled.

Mr. Smiley laid before the Senate the memorial of James Osborne and others, citizens of Union county, praying such alteration in the law relative to elections, as will confine voters to their own proper townships; which was read and referred to the committee on elections.

Mr. Milroy laid before the Senate the petition of John Kelly, and other citizens of Bono, in Lawrence county, praying the establishment of a state road from Indianapolis, via Bono to Leavenworth, in Crawford county; which was read and referred to a select committee composed of Messrs. Milroy, Graham, Fletcher, and Maxwell, to report thereon.

Mr. Maxwell laid before the Senate, the petition of Samuel Fane, praying a divorce from his wife, Peggy Fane; which was read, and, with the accompanying documents, referred to the Judiciary committee.

Mr. Givens, from the committee on elections, to whom was referred the credentials of the newly elected senators, now reported that they had taken the same under consideration, and report that the following gentlemen are duly returned members of the Senate, to-wit:

From the counties of Knox, Daviess and Martin—John Ewing.

From the counties of Spencer, Perry and Crawford—John Daniel.

From the counties of Jackson, Scott and Bartholomew—William Graham.

From the counties of Parke, Putnam, Montgomery, Fountain, Tippecanoe and Vermillion—James Blair.

From the county of Harrison—Daniel C. Lane.

From the counties of Monroe, Owen and Green—David H. Maxwell—and,

From the counties of Posey, Vanderburgh and Warrick—Thomas Givens.

Which report was read and concurred in.

Mr. Gregory moved, that the Senate do now proceed to the election of a Serjeant at Arms; which motion failed—nine members only rising in favor of it.

Mr. Simonson offered for consideration and adoption, the following resolution, to-wit:

Resolved, That the Committee of Ways and Means be instructed to inquire into the constitutionality of the road law,

which imposes a greater road tax upon non-resident, than resident owners of land; and also into the expediency of repealing or modifying that part of the revenue law, which provides for a sale of real estate, and the passing of an absolute title in fee simple, to the purchaser for the non-payment of taxes, after the lapse of two years, where infant orphans are the owners, and report by bill or otherwise.

Mr. Gregory moved to amend the same by adding, after the word "orphans;" the words "and non residents;" which amendment was adopted.

Mr. Fletcher then moved further to amend the same, by adding, after the words "infant owners," the words "ideots, persons insane, fêmes covert, and persons without the jurisdiction of the United States on public business."

Which amendment to the said resolution was also adopted, making the said resolution read as follows, to-wit:

Resolved, That the Committee of Ways and Means, be instructed to inquire into the constitutionality of that part of the road law, which imposes a greater road tax upon non-resident owners of land, than resident owners; and also into the expediency of repealing or modifying that part of the revenue law, which provides for a sale of real estate, and the passing of an absolute title in fee simple to the purchaser, for the non-payment of taxes, after the lapse of two years; where infant orphans, ideots, persons insane, fêmes covert, persons without the jurisdiction of the United States, on public business, and non residents are owners, and report by bill or otherwise.

And, on the question, shall this resolution, as amended, be adopted? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were

Messrs. Clark, Cotton, Ewing, Fletcher, Givens, Gregory, Lane, Morgan, Oliver, Simonson, and Smiley—11.

And those who voted in the negative, were

Messrs. Blair, Canby, Colman, Daniel, Graham, Maxwell, Milroy, Montgomery, Rariden, and Watts—10.

So it was decided in the affirmative, and the said resolution as amended, adopted.

On motion by Mr. Fletcher,

Resolved, That a standing committee be appointed on the affairs of Indianapolis, relating to property owned by the state of Indiana;

And Messrs. Fletcher, Clark, Montgomery, Oliver and Ewing, were appointed that Committee.

On motion by Mr. Milroy,

Resolved, That a committee be appointed on the affairs of the state prison.

And Messrs. Milroy, Blair, Simonson, Lane, Smiley, and Daniel were appointed that committee.

Mr. Morgan offered for consideration and adoption, the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of dividing the state into seven judicial circuits, with leave to report, by bill or otherwise.

And the said resolution having been read, when Mr. Ewing moved to amend the said resolution, by striking out the word, *seven*, and in lieu thereof inserting *six*, and previous to any question thereon, the said resolution was ordered to lie on the table.

On motion by Mr. Blair,

Resolved, That a committee be appointed to take into consideration the expediency of memorializing congress to pass an act, or otherwise to cause the adoption of some measure, whereby that part of Range Ten, west of the second principal meridian that lies within this state, may most speedily be brought into market;

And Messrs. Blair, Colman and Ewing were appointed that committee.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Fletcher introduced a joint resolution of the General Assembly of the state of Indiana, the object of which is to instruct our senators, and request our representatives in Congress to use every means in their power to restrain the importation of hemp, and wool, and woollens; and generally to use every reasonable effort to carry into effect the *American System*; which was read a first time, and ordered for a second reading to-morrow.

Mr. Simonson offered for consideration and adoption, the following resolution, to-wit:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of repealing the 18th section of an act subjecting real and personal estate to execution—approved January 30th, 1824; or of modifying and controlling the operation of said section, in such manner that it shall not affect any mortgage made or executed prior to the publication of the act, of which said section is a part.

And, on the question, Shall this resolution be adopted? it was decided in the negative,

Shortly after which decision, Mr. Cotton moved, that the Senate do reconsider their vote, rejecting said resolution; which motion did not prevail.

On motion by Mr. Maxwell, the Governor's Message was referred to a committee of the whole Senate, and made the order of the day for to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, DECEMBER 7th, 1827.

The Senate assembled.

Mr. Lane laid before the Senate, the petition of Frederick Blume and others, inhabitants of Harrison county, praying that the estray law of 1818, may be substituted in the place of the law now in force, regulating estrays—which petition was read and referred to a select committee consisting of Messrs. Lane, Givens and Graham, to report thereon.

The President laid before the Senate the following communication from the Treasurer of State, with his annual report to wit:

SIR—Herewith is transmitted the annual report required from the Treasurer of State, to be laid before the Senate.

I have the honor to be, &c.

S. MERRILL.

Hon. J. H. THOMPSON.

Treasury Department, Dec. 6, 1827.

In obedience to the directions of the "act concerning the Auditor of Public Accounts, and the Treasurer of State," the following report of receipts and expenditures is respectfully submitted:

Cash on hand, Dec. 2, 1826,

\$5815 55

Receipts from that time to the 1st December, 1827, inclusive—

From the assessments of 1822	\$189 84
“ “ 1823,	29 34
“ “ 1824,	18 37
“ “ 1826,	30,770 77
“ “ 1827,	2,382 06
Assessments by collectors, not previously reported to Auditor	100 35
Penalty from collector of Bartholomew, for 1822	30 16
From E. Denny, Superintendant Rock Lick	292 50
From sales of lots in Indianapolis	3,345 49
From Seminary lands in Monroe	7,645 00
From sales of lands in Gibson	90 00
From rents	62 00
From fines on persons conscientiously scrupulous of bearing arms	344 50
From late Treasurer	1,160 00
Incidental payments	35 00
	<hr/>
	46,545 88
	<hr/>
Total,	52,361 43
Expenditures during the period above-mentioned—	
For public printing	1,403 22
	<hr/>
For interest on treasury notes	6 54
For interest on seminary funds paid to president of trustees of state seminary	387 81
	394 35
For contingent expenses	216 28
For expenses of last legislature—	
Pay and mileage of members	9982 00
Pay of clerks, doorkeepers, and sergeant at arms	1543 70
Distributing laws and journals	142 00
Legislative appropriations for binding books in Secretary's office, of which \$20 were refunded for error, and credit in the incidental payments	267 50
	<hr/>
	11,940 20
For state library and librarian's salary	51 50
For stationary for last legislature	226 57

Specific appropriations:	
For making tract books and copies	1144 00
For special allowances	962 54
	<hr/>
	2106 54
For seat of Government:	
Agent's salary	100 00
Balance for building the court-house	22 15
Treasurer's per centum, for two years	51 95
For building Governor's house	4000 00
	<hr/>
	4174 10
Salaries of the Adjutant and Quarter	
Master Generals	125 00
Salaries of the Executive Officers	2097 20
Salaries of the Judiciary	6409 81
Salaries of the circuit prosecutors	812 20
Balance of state debt to U. S. assignees of	
Vincennes Bank	2435 12
Treasury notes burnt	41 00
For killing wolves	51 50
To E. Denny, Superintendent of Rock Lick section	130 60
	<hr/>
Total expenditures	\$33,208 19
	<hr/>
Leaving a balance in the treasury of	\$19,153 24
The following items constitute the state debt:	
Due to the Seminary fund	\$10,093 96
Due to the road and canal fund	5000 00
Interest on same	2075 00
Outstanding warrant to A. Campbell	50 00
Treasury notes in circulation	169 00
Executive claims not audited	250 00
Judiciary	375 00
Circuit prosecutors	187 50
	<hr/>
	18,700 46
Making a balance in the treasury after paying	
all the debts of the state, of	452 78
The payments yet to be made from the assess-	
ments of 1827, may be estimated at	23500 00
From balances of former years	3000 00
	<hr/>
Making, in all, the sum of	\$26,952 78
Estimated to be equal to the current expenses of the year.	

By the report of James Borland, Esq. commissioner of the seminary township in Monroe, it appears that on the 1st of October last, there were sold of the lands of said township, one hundred and twenty-one quarter sections, for the sum of \$23,003 96 1-2; of which there was received the sum of \$6,830 24 1-2, leaving unpaid, \$161,73 72. The interest paid in advance, for the sum due, is, \$970 38 1-2: which sums, after deducting the commissioners' per centum, have been paid at the Treasury. Respectfully submitted,

S. MERRILL.

Which were read and referred to the committee of ways and means.

The President also laid before the Senate the following communication and annual report, from the auditor of public accounts, to-wit:

Auditors' Office, 6th Dec. 1827.

To the Hon. JOHN H. THOMPSON, President of the Senate:

SIR: Enclosed, I herewith transmit to the Senate, the Annual Report of the Auditor of Public Accounts, in obedience to an act of the General Assembly, concerning the Auditor of Public Accounts, and the Treasurer of State.

Yours, respectfully,

W. H. LILLEY, *Aud. P. A.*

Auditors' Office, 6th Dec. 1827.

In compliance with the requisitions of an act, concerning the Auditor of Public Accounts, and the Treasurer of State, the following report is respectfully submitted.

There was remaining in the Treasurer's hands on the 3d Dec. 1826, as per former report; provided all claims audited to that date have been paid

5,714 33

Since the above period to the 1st Dec. 1827, there has been received on account of balances due for the years 1822, 1823 and 1824,

238 05

From Collectors of Revenue, for the year 1826

30,770 77

for the year 1827,

2,382 06

For unlisted lands as reported by Treasurer,

100 35

Penalty for the delay of payment by the Collector of Bartholomew county; for the year 1822,

30 16

From Superintendant of Rock Lick Section,

292 50

B. I. Blythe, agent of state, for the town of Indianapolis,	3,345 49
Paymasters of the 8th, 9th, 17th, 37th, 40th, 42d and 47th Regiments, for conscientious fines,	344 50
Sale of Seminary lands in Monroe county,	7,645 00
Gibson county,	90 00
Rents,	62 00
From the late Treasurer	1,160 00
Incidental payments,	85 00
	<hr/>
	\$52,260 21

Since the above period there has been Audited on account of transporting convicts to the State Prison,	588 00
Salaries of Prosecuting Attornies,	812 20
Judiciary Department,	6,409 81
Executive Department,	2,097 20
Interest on treasury notes and Seminary fund,	394 35
Expenses of the last General Assembly, including the pay of members, Clerks, Doorkeepers, Sergeant at Arms, distributing laws, and appropriations for State Library,	11,991 70
On account of specific appropriations,	2,333 11
Public Printing,	1,408 22
Salary of Agent of State for Indianapolis, balance due on Court House, and building Governor's House,	4,174 10
On account of salaries of Adjutant and Quarter Master General's,	125 00
Wolf scalps,	51 50
Liquidation of the debt due from the State to United States,	2,435 12
Treasury notes burnt,	41 00
Contingent expenses for the year 1827	216 28
E. Denney, Superintendant of Rock Lick Sec.	60 00

Total,	<hr/>	\$33,137 59
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Which deducted from \$52,260 21, leaves a balance in the Treasury on the 1st Dec. 1827, of \$19,122 62

The assessment for all the counties in the state for the year 1827, except Delaware and Warren, amounts to 32,662 14

Of which it is estimated after deducting com-

missions for collecting delinquencies, &c. there will be paid into the Treasury,

26,000 00

The number of polls in all the counties in the state except the two above named, and Clay, Fayette & Henry, in which the number is not returned, is 39865.

From unlisted polls and lands assessed by Collectors and returned to this office from the following counties for the year 1827, to wit:

From Daviess	\$18 14
Gibson	9 97
Floyd	6 85
Greene	1 85
Crawford	5 51
Pike	75
Knox	26 66
Sullivan	8 86
Fountain	5 62
Lawrence	69 98

Total amount returned to this office, \$154 19

An equal amount with the above may be expected to be returned from the counties which have not yet settled with the Treasurer, which sum of revenue from this source,

308 32

Out standing balances against Collectors since the commencement of the state government, a large part of which may be considered as lost,

10,979 32

All of which is respectfully submitted.

WM. H. LILLY, *Aud. P. A.*

Which were read and referred to the committee of Ways and Means.

On motion by Mr. Graham,

Resolved, That the committee on the Judiciary be instructed to enquire whether the law authorising the erection of a bridge over the Muskakituck river, where the road leading from Mauk's ferry to Indianapolis passes the same, has been complied with; and if the same has not been complied with, that they be instructed further to enquire whether the commissioners on said road, or the contractor for said Bridge are responsible for such failure; with leave to report thereon.

Mr. Fletcher from the committee on the subject, now re-

ported a bill to organize the county of Hancock, which was read, and ordered for a second reading to-morrow.

The joint resolution of the General Assembly, relative to the encouragement of American Manufactures, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

Mr. Ewing, from the committee on the subject, now reported a bill providing for certain embankments on the river Wabash, in Knox county, which was read, and ordered for a second reading to-morrow.

Mr. Clarke moved, that the Senate do now proceed to the election of a Sergeant at Arms, when after considerable discussion thereon, and the question put, will the Senate now elect a Sergeant at Arms? The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Clarke, Daniel, Ewing, Fletcher, Givens, Graham, Lane and Oliver—9.

And those who voted in the negative, were,

Messrs. Blair, Colman, Cotton, Gregory, Maxwell, Milroy, Montgomery, Morgan, Rariden, Simonson, Smiley, and Watts—12.

So it was decided in the negative.

On motion by Mr. Gregory,

Resolved, That the the doorkeeper of the Senate be instructed to call on the public printer, and enquire of him, why, and wherefore, the Senate has not been furnished with the Governor's Message, before this time, inasmuch as a number of copies have appeared in his Gazette of the 4th inst.

And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The doorkeeper, who had waited on the Public Printers, conformably to a resolution of the Senate, adopted in the forenoon, now handed to the President, the following communication in writing:

Indianapolis, Dec. 7, 1827.

To the Hon. JOHN H. THOMPSON, President of the Senate:

SIR: Agreeable to a resolution of the Senate, the doorkeeper has called upon us for information, why the Governor's Message has not been printed? In reply, we have only to state, that, every exertion has been used on our part, to be as speedy

as possible with the Message; and some of the copies will be ready for delivery in the course of a few hours. We have SIX as GOOD JOURNEYMEN employed, as can be found in the western country; and will be as speedy with the printing of the Message as the Printers have heretofore been. The reason of the Message appearing in the Gazette, was owing to his Excellency the Governor furnishing us a copy previous to delivery. It is well known to those acquainted with printing, that it was out of our power to have paper prepared or, (wet sufficiently) to use a technical phrase, until we knew the number of copies to be ordered; all of which is respectfully submitted.

SMITH & BOLTON.

On motion by Mr. Fletcher,

The resolution yesterday offered by Mr. Morgan, on the subject of increasing the Judicial Circuits in this state, was called up, the amendment offered by Mr. Ewing to strike out of said resolution the word "seven" and insert in lieu thereof the word "six," being under consideration, and considerable discussion thereon—a division of the question was called for, and the question put, shall the word seven be stricken out? It was decided in the negative.

Mr. Graham then moved to amend the said resolution by adding thereto the following, to wit: "and also to enquire into the expediency of giving the Circuit Court exclusive jurisdiction of probate business, setting apart certain days at each term for that purpose." Which amendment was adopted, so as to make the said resolution read as follows, to wit:

Resolved, That the Judiciary committee be instructed to enquire into the expediency of dividing the state into seven Judicial Circuits, and also to enquire into the expediency of giving the Circuit Court exclusive jurisdiction of probate business, setting apart certain days at each term for that purpose; with leave to report by bill or otherwise.

And the said resolution as amended, was adopted.

On motion by Mr. Maxwell,

Resolved That the committee on education be instructed to enquire into the expediency of continuing the sale of the lands in the Seminary townships, in Gibson and Monroe counties, so as to expose said lands for sale for a term of time, not exceeding one week in each quarter of the year, with leave to report by bill or otherwise.

And the Senate adjourned to 9 o'clock, to-morrow morning.

SATURDAY, DECEMBER 3, 1827.

The Senate assembled.

Mr. Fletcher, asked and obtained leave, to introduce a bill to authorize persons to retail spirituous liquors without the requisitions of a tavern keeper; which was read, and ordered for a second reading on Monday next.

On motion by Mr. Maxwell,

The Senate according to order, resolved itself into a committee of the whole on the Governor's Message, Mr. Blair in the Chair, when after some time spent therein, the committee rose, Mr. President resumed the Chair, and Mr. Chairman reported, that the committee of the whole Senate had, according to order, had under their consideration the Governor's Message; had adopted sundry resolutions thereon, and had instructed him to report the same to the Senate, and ask the concurrence of the Senate therein; and the said resolutions being read, were adopted, and are as follows, to wit:

Resolved, That so much of the Governor's message as relates to Canals, internal improvements, and the navigation of the White rivers, be referred to the committee on Canals and internal improvements.

Resolved, That so much of the message as relates to a proposed loan, as also that part which relates to the condition of the Treasury and the revenue for the present year, be referred to the committee of Ways and Means.

Resolved, That so much of the message as relates to the right and policy of this state to demand or solicit of Congress, the cession of the public lands to the state, be referred to a special committee.

Resolved, That so much of the message as relates to the Michigan road be referred to the committee on roads and highways.

Resolved, That so much of the message as relates to the State Seminary at Bloomington, be referred to the committee on education.

Resolved, That so much of the message as relates to the Penitentiary, be referred to the committee on the State Prison.

Resolved, That so much of the message as relates to the penal and criminal laws of the state, be referred to the Judiciary committee.

Resolved, That so much of the message as relates to our

quota of the public arms and to the militia, be referred to the committee on military affairs.

Resolved, That so much of the message as relates to the affairs of Indianapolis, be referred to the committee on that subject.

Resolved, That so much of the message as relates to sold, and unpatented lands, be referred to a select committee.

Resolved, That so much of the message as relates to railways be referred to a select committee.

And thereupon the President appointed the following gentlemen, as select committees, in conformity with the requisitions of the third, tenth and eleventh of the aforesaid resolutions, to wit:

Committee on the third resolution, Messrs. Gregory, Ewing, Smiley, Clarke, Cotton, Canby, Blair, Simonson and Fletcher.

Committee on the tenth of the foregoing resolutions, to wit: Messrs. Lane, Milroy, Watts, Graham, Givens, Maxwell, Morgan and Daniel.

Committee on the eleventh resolution, to wit: Messrs. Watts, Oliver, Rariden, Simonson, Canby, Smiley, Montgomery, Colman and Milroy.

On motion, Messrs. Watts, Canby, Graham, Clarke, Cotton, Milroy, Daniel and Lane, were added to the committee on public roads and highways.

The bill to organize the county of Hancock, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The bill to cause the erection of certain embankments, on the river Wabash, in Knox county, was read a second time, and ordered to be engrossed for a third reading on Monday next.

Mr. Ewing offered for consideration and adoption the following preamble and resolution, to wit:

Whereas it has been invariably found, that simple forms, and fixed responsibility, are the best calculated to secure the administration of justice upon a system the most certain, just and economical:

Resolved, That the judiciary committee be instructed to inquire into the expediency of providing by law for the trial of assaults and batteries, and all minor offences of a criminal nature, within the perview of the constitutional limit, by a justice of the peace: also, the expediency of establishing an arbitration system of laws, for the determination of all civil cases, in appeal from the docket of any justice of the peace, where the judgment appealed from is under the sum of one hundred dollars: also, the expediency of changing the present mode of

punishing female convicts: also, the expediency of so amending the existing execution law, that persons who do not avail themselves of the stay on execution, may have their property offered for sale, and disposed of by the Sheriff, or Constable, on a credit equal to the stay now allowed on personal freehold security, taking judgment bonds for the amount sold, upon which, at the expiration of the time, if not paid, execution shall issue, and no credit be allowed at the second sale for the same original debt: also, the expediency of repealing that part of the execution law by which Sheriffs and Constables are authorized to administer oaths, and discharge prisoners; and of adopting a system to provide for the discharge of the party in custody by a Magistrate or Associate Judge, after due notice is served upon the plaintiff, or his attorney, to attend and cross examine or confront the party: also, the expediency of amending the act relating to attornies and counsellors at law, so that before any one be admitted to practice hereafter, in any circuit, he shall have filed a bond with some clerk within the same, (whose certificate shall be recorded in each court,) with approved freehold security in the penal sum of dollars, to operate in each county of the circuit as a judgment bond, recoverable upon motion, for any wilful neglect, or error, touching professional duty, by which a client has been delayed of his action, or his money, or in any way injured by cost incurred that would otherwise have been avoidable: also, the expediency of repealing the British statutes now in force in this state, and not printed in our statute book: also, the expediency of amending the act regulating fees, so as to repeal all docket fees allowed to attornies—and restrict Clerks and Sheriffs to the allowance made for extra services by the boards of county justices, without appeal to the Circuit Court, as the value of such services rendered to the county, and not otherwise provided for, cannot there be so accurately known or appreciated.

Which, having been read at the Secretary's table, were adopted.

Mr. Givens moved, that the Senate do, at two o'clock this afternoon, proceed to the election of a Sergeant at Arms, when, after some discussion on this motion, and the question stated, will the Senate at two o'clock this afternoon, proceed to the election of a Sergeant at Arms? The ayes and noes being demanded by two members;

Those who voted in the affirmative, were

Messrs. Canby, Clarke, Daniel, Ewing, Givens, Graham, Lane, Milroy and Oliver—9.

And those who voted in the negative, were Messrs. Blair, Cotton, Fletcher, Gregory, Maxwell, Montgomery, Morgan, Simonson, Smiley and Watts—10.

So it was decided in the negative.

And the Senate adjourned to Monday morning nine o'clock.

MONDAY, DECEMBER 10, 1827.

The Senate assembled.

Mr. Watts offered for consideration and adoption the following resolution, to wit:

Resolved, That the committee on roads, be instructed to inquire into the propriety of so amending the road law, that all residents of the state, can pay their road tax in labor, on roads in the township in which they may reside.

And on the question, shall this resolution be adopted? It was decided in the negative.

On motion by Mr. Graham,

Resolved, That a select committee be appointed with instructions to inquire, what amendments if any, are necessary to be made to the law regulating grist mills and millers.

And Messrs. Graham, Watts and Oliver, were appointed a select committee to carry into effect the objects of said resolution.

On motion by Mr. Cotton,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law, for the disposal of the surplus copies of the laws of the state of Indiana, that may remain in the different clerk's offices, in the several counties in this state; and requiring sheriffs, justices of the peace, &c. to give up to their successors in office all the copies of the laws, which they have been entitled to, by virtue of their office. Also, into the expediency of providing by law for the disposal of the dockets of justices of the peace, and the copies of laws, held by those whose term of service has expired, and who have no successor in office; and provide for the distribution of the surplus laws of the United States now remaining in the office of Secretary of State, among the several counties.

Mr. Smiley offered for consideration and adoption the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the propriety of amending the 39th section of the act providing for the settlement of decedents estates, and for other purposes, approved, January 26, 1824, so as to limit the last clause therein contained, for the benefit of widows, to insolvent estates.

And on the question, shall this resolution be adopted? It was decided in the negative.

The President laid before the Senate a communication from the Governor, enclosing sundry documents, relative to the deficiencies recently discovered in certain ordnance, heretofore distributed to the militia; which were read and referred to the committee on military affairs.

On motion by Mr. Milroy,

Resolved, That whereas a certain portion of property is now exempt from execution, and as many persons avail themselves of such provision, and actually neglect or refuse to work on roads and public highways by which, the public in many cases are deprived of that labor justly due—and that the committee on roads be instructed to inquire into the propriety of subjecting the property of such persons to execution, or other coercive measures so as to compel such person or persons to perform such labor.

On motion by Mr. Clarke,

Resolved, That a select committee be appointed to inquire into the defects of the laws now in force providing for the support of the poor, if any, and make report thereon, by bill or otherwise.

And Messrs. Clarke, Simonson, Gregory, Colman, Oliver and Givens, were appointed that committee.

On motion by Mr. Ewing,

Resolved, That the Governor be requested to transmit to the Senate, the detailed statement or report furnished by the commissioner, named in the act, approved February 12th, 1825, after he had examined the obstructions in the eastern and western branches of White river.

On motion by Mr. Milroy,

Resolved, That the judiciary committee be instructed to inquire into the constitutionality of assessing and collecting a tax on lands where a part of the purchase money is due to the United States, and to report thereon.

On motion by Mr. Ewing,

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of providing for the improvement of that part of the Wabash river, which forms the boundary line of this state and Illinois, and of course under

the joint jurisdiction of both states, with leave to report by bill or otherwise.

Mr. Ewing, laid before the Senate, the petition of Daniel Langton and others, inhabitants of Knox county, relative to the Knox county Seminary; which was read, and referred to the committee on education.

Mr. Fletcher, laid before the Senate, the petition of B. F. Morris and others, inhabitants of Marion county, praying the incorporation of a Steam Mill company, at the town of Indianapolis; which was read, and committed to the committee on Indianapolis affairs, to report thereon.

The bill to authorize persons to retail spirituous liquors without the requisitions of a tavern keeper, was read a second time, when

Mr. Clarke moved, that the further consideration of said bill be postponed indefinitely:

And on the question, shall the further consideration of this bill be indefinitely postponed? It was decided in the negative.

The said bill was then committed to a committee of the whole Senate, and made the order of the day for to-morrow.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate, according to order, resolved itself into committee of the whole Senate, on the bill to organize the county of Hancock, Mr. Canby in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that the committee of the whole Senate, had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same to the Senate, and request their concurrence therein;

And the said amendments having been read at the Secretary's table, were concurred in, and the bill as amended, was ordered to be engrossed and read a third time to-morrow.

The Senate now, according to order resolved itself into a committee of the whole Senate, on the joint resolution of the General Assembly, relative to the encouragement of Domestic Manufactures; Mr. Clarke in the chair, when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported that the committee of the whole Senate had, according to order, had the said joint resolution under consideration, and had

instructed him to report the same to the Senate without amendment.

And the said joint resolution was ordered to be engrossed and read a third time, to-morrow.

The engrossed bill to establish a levee, to preserve the road leading from Vincennes through the lower prairie, near to the Wabash river, was read a third time and passed; and Mr. Farnham was instructed to request the concurrence of the House of Representatives, therein.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, DECEMBER 11, 1827.

The Senate assembled.

Mr. Gregory laid before the Senate, the petition of Ephraim Goss and others, inhabitants of Morgan county, relative to the regulation of ferries, so that the same shall be free, on certain public occasions. Which was read and referred to the committee on roads and highways.

Mr. Colman offered for consideration and adoption, the following resolution, to-wit:

Whereas the connection of the Wabash with the Miami of Lake Erie, by the construction of a Canal, has for many years been considered of state and national importance, so much so, as to enable the state of Indiana, during the last year, to procure from the Engineer Department, a corps of engineers, to survey the route, and to ascertain the practicability or impracticability thereof; the result of which surveys, so far as they have progressed, are reported as highly favorable, and as leaving no doubt of the entire practicability of the work: And whereas, the general government, being fully satisfied of that fact, and of the utility of the measure, have granted to the state of Indiana, a quantity of land equal to five sections in width, the whole length of the canal, from the head of steam boat navigation, on the Wabash, to the steam boat navigation on the Miami of the Lake: And whereas, it is ascertained, that this Canal must run a considerable distance into the state of Ohio; the grant for its construction being exclusively made to the state of Indiana, who have no jurisdiction over any part of the sovereignty of Ohio—for remedy whereof,

Resolved, That the Committee on Canals and Internal Im-

provements, be instructed to report a joint memorial of this General Assembly, to the Legislature of Ohio, respectfully requesting that body to take such measures as will secure the donation offered by the United States, on all that part of the Canal that may run through the jurisdiction and sovereignty of their state, and to pass a law to co-operate, with the state of Indiana, in the progress of the work.

Which was read and adopted.

Mr. Oliver offered for consideration and adoption, the following resolution, to-wit:

Resolved, That the Military Committee be instructed to inquire into the propriety of amending the Militia Law, so as to provide for four musters in each year; which was read—And, on the question, Will the Senate adopt this resolution? it was decided in the negative.

On motion by Mr. Fletcher,

Resolved, That the Committee of Ways and Means, inquire into the propriety of authorising the Secretary, Treasurer and Auditor of State to purchase for the use of the Legislature of this state (previous to each session of the same,) the necessary stationary and paper for the public printing, and pay for the same; and the transportation thereof in advance, out of monies in the public treasury, with leave to report by bill or otherwise.

Mr. Oliver offered for consideration and adoption, the following resolution, to-wit:

Resolved, That the Military Committee be instructed to inquire into the propriety of altering the militia law, so as to do away the battalion muster; when

Mr. Simonson moved to amend said resolution, by striking out all after the word, "propriety," and inserting in lieu thereof, the following "That the military committee be instructed to inquire into the expediency of increasing the number of musters, and the amount of fines, and report by bill or otherwise:"

And, on the question, Shall the said amendment be adopted? it was decided in the negative.

And, on the question, Shall the original resolution be adopted? it was decided in the negative.

Mr. Graham, from the Committee of Ways and Means, to whom was referred so much of the Governor's Message as relates to a loan, for the purposes of internal improvement, now reported, that they have discharged the duty assigned to them; and that, in their opinion, it is inexpedient to authorize a loan at this time:

And the said report having been read, was ordered to be laid on the table.

Mr. Graham, from the Committee of Ways and Means, to whom the subject had been referred, now reported a bill to repeal a part of the law now in force, relative to public roads and highways:

Which was read and ordered for a second reading to-morrow.

Mr. Rariden, from the Judiciary Committee, to whom was referred the petition of Samuel Fane, praying a divorce, now reported, that they have had the same under consideration, and deem the same unreasonable; and that the prayer of said petitioner ought not to be granted. And the said report having been read, was concurred in.

Mr. Fletcher, from the Committee to whom the subject had been referred, reported a bill to incorporate the Indianapolis Steam Mill Company: Which was read, and ordered to a second reading to-morrow.

Mr. Rariden, from the Committee on the Judiciary, to whom had been referred the subject of repealing all tax on lands, where a part of the purchase money is yet due to the United States now reported that, in the opinion of the committee, it is inexpedient to legislate on the subject.

And the said report was read, and ordered to lie on the table.

Mr. Ewing, from whom the select committee, to whom had been referred the subject of amending the rules of the Senate, now made a detailed report, which report was read, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Rariden asked and obtained leave to introduce a bill to amend an act, entitled an act relative to crime and punishment: which was read and ordered to a second reading to-morrow morning.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill to authorise persons to retail spirituous liquors, without the requisitions of a tavern keeper, Mr. Colman in the chair—

When, after some time spent thereon, the committee rose; Mr. President resumed the chair, and Mr. Chairman reported that the committee of the whole Senate, to whom the said bill had been committed, had taken the same under consideration, had made some progress thereon; but not having time to go through the whole bill, had instructed him to report the same, and ask leave to sit again; and, on the question, Shall the com-

mittee of the whole have leave to sit again? it was decided in the affirmative—and thereupon

Mr. Graham moved, that the Committee of the whole Senate be discharged from the further consideration of the said bill, and that the same be recommitted to a select committee, with leave to amend the same: which motion did not prevail.

And then the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, DECEMBER 12, 1827.

The Senate assembled.

The President laid before the Senate a communication from the Secretary of State, relative to the situation of the public Library, and the expenditures for the use of the same, since the last session of the General Assembly; which was read, and referred to the committee on education.

The President also laid before the Senate a communication from the Governor, enclosing also, a communication from the Secretary of State, relative to the report of the commissioner on the obstructions in the east and west forks of White river; which were read and laid on the table.

Mr. Graham, from the committee of ways and means, to whom the subject had been referred, now reported, A bill to provide for the purchase of stationery, for the use of the General Assembly, and for the public printing; which was read and ordered for a second reading to-morrow.

Mr. Graham, from the select committee to whom the subject had been referred, now reported, a bill to amend the law regulating grist-mills and millers; which was read and ordered for a second reading to-morrow.

Mr. Milroy, from the select committee, to whom had been referred the petition of John Kelly and others, now reported, a bill to continue the state road from Bono to Terre Haute, which was read, and ordered for a second reading to-morrow.

Mr. Clark, from the select committee appointed to examine and report to the Senate, the unfinished business of the last session, now made a detailed report, with sundry bills and resolutions; and the said report having been read, was, on motion, recommitted to the same committee, with instructions to strike out therefrom, so much as relates to bills and resolutions which had been indefinitely postponed.

On motion by Mr. Maxwell,

Resolved, That the House of Representatives be respectfully requested to cause an examination to be had of the files of papers of that House, for the report of Alexander Ralston, made to the House of Representatives in the year 1826, on the subject of the improvement of the navigation of the east and west forks of White river, and to furnish the Senate, through their Secretary, with said report.

On motion by Mr. Smiley,

Resolved, That the judiciary committee be instructed to inquire into the propriety of amending the third section of an act to amend an act entitled an act regulating the jurisdiction and duties of justices of the peace, approved, January 22d, 1827; so as to make it the duty of the justice, by order, in nature of a process, to order the constable of said justice, within twenty days next after such appeal taken, to deliver said transcript, bond and other papers to the Clerk of the Circuit Court, of said county, and said constable to be allowed the same fees and mileage as in serving process; with leave to report thereon.

Mr. Maxwell, asked, and obtained leave to introduce a bill legalizing certain proceedings of the associate Judges of the several counties within this state; which was read and ordered for second reading to-morrow.

On motion by Mr. Fletcher;

Resolved, That the committee on the affairs of Indianapolis inquire into the propriety and justice of allowing to Marion county, a certain per cent. out of all the sales of lots in the town of Indianapolis, for the use of a county library, with leave to report thereon by bill or otherwise.

The Senate now, according to order, again resolved itself into a committee of the whole, on the bill relative to granting licenses to retail spiritous liquors without the requisitions of a tavern keeper: Mr. Colman in the chair, when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that the committee of the whole Senate had, according to order, had the said bill under consideration, had made sundry amendments hereto, and had instructed him to request the concurrence of the Senate therein.

And the said amendments having been read separately at the Secretary's table, were in part adopted, and in part negatived; and

On motion, the said bill was ordered to be engrossed and read a third time to-morrow.

The Senate now, according to order, resolved itself into com-

mities of the whole on the report of the select committee, altering and amending the rules and regulations for the government of the Senate, when in session; Mr. Cotton in the chair, when, after some time spent thereon the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that the committee of the whole Senate had, according to order, taken under consideration the amendments and alterations proposed by the select committee, to the rules for the government of the Senate, had made sundry amendments thereto, and had instructed him to request the concurrence of the Senate therein, and the same having been read at the Secretary's table, were concurred in; and

On motion by Mr. Rariden, the further consideration of the said report was indefinitely postponed.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, DECEMBER 13, 1827.

The Senate assembled.

The President laid before the Senate an additional report from the Secretary of State, relative to the public Library, detailing sundry additions made thereto; which was read, and,

On motion by Mr. Oliver, referred to the committee on education.

Mr. Watts, from the judiciary committee, to whom the subject had been referred, now reported, a bill for the benefit of the devisees of Thomas Watts, deceased; which was read, and ordered for second reading to-morrow.

Mr. Fletcher, from the committee on Indianapolis affairs, now reported a bill allowing the county of Marion per cent. out of the sales of lots in the town of Indianapolis, for the use of a county Library; which was read, and ordered for second reading to-morrow.

Mr. Clarke, from the committee on the subject, now made the following report, to wit:

Mr. President:

The committee to whom was referred the unfinished business of the last session, have examined the archives of the Senate, and report the following bills, resolutions and reports,

which at the last session were postponed to the first Monday in December, 1827, or laid on the table, viz:

1. An engrossed bill from the House of Representatives, entitled an act for the relief of Henry Anderson, collector of taxes for Parke county, for the year 1824.

2. A bill to amend an act to authorize the several townships therein named, to elect township officers, and for other purposes.

3. A report of the committee of Ways and Means, on that part of the Governor's Message, relative to our frontier settlers, and the sale of spiritous liquors to the Indians.

4. A bill to authorize Hugh Barns, of Owen county, to purchase Congress lands for the benefit of the infant heirs of John Teal.

5. A bill to amend an act regulating the mode of summoning and empannelling grand and petit jurors, approved, January 31, 1824.

6. A bill to repeal an act entitled "an act to improve the navigation of the east and west forks of White river."

7. A bill to amend an act entitled an act to establish and regulate ferries.

8. A resolution of the Senate.

9. A bill to amend an act, entitled an act to locate and establish a Seminary, in and for the county of Union.

10. A joint resolution from the House of Representatives approving of the exercise of power by Congress, to make internal improvements.

11. An engrossed bill from the House of Representatives, organizing Probate Courts, and defining their powers and duties.

12. A bill to amend the act providing for the settlement of decedents' estates, and for other purposes.

13. A bill to provide for the investigation of official conduct and the suspension of the exercise of official authority in certain cases: and

14. An engrossed bill from the House of Representatives for the relief of Robert Taylor, jr. and others.

Which report was read, and together with the bills and resolutions therein referred to, ordered to be laid on the table.

On motion by Mr. Clark,

The said committee was discharged from the further consideration of the unfinished business.

Mr. Lane, from the select committee on sold and unpatented lands, now reported a preamble and joint memorial of the General Assembly of the state of Indiana, to the Congress of the United

States; which was read twice, and ordered to be engrossed for third reading to-morrow.

Mr. Rariden, from the judiciary committee, reported a bill to amend an act entitled an act to provide for the partition of real estate, approved, January 2, 1824; which was read, and ordered for second reading to-morrow.

Mr. Blair, asked, and obtained leave to introduce a bill, changing the time of holding elections for representatives to Congress; which was read, and ordered for second reading to-morrow.

On motion by Mr. Fletcher,

Resolved, That a select committee be appointed to inspect the state Library, and report in what manner the same is kept, and to inquire what further regulations, if any, are necessary to be made by law for preserving the books, and for increasing, and making the Library more useful: and,

Messrs. Fletcher, Canby and Colman, were appointed that committee.

Mr. Ewing offered for adoption the following resolution, to-wit:

Resolved, By the Senate, that during the present session, the Secretary of the Senate shall be viewed as the responsible officer of this House, and so soon as petitions, resolutions or any other matter be referred to a committee, and noted upon his journal, the same shall be handed forthwith to the first named member of the committee to whom the reference has been made,

And on the question, shall this resolution be adopted? It was decided in the negative.

The President laid before the Senate the report of Benjamin J. Blythe, agent of the three per cent. fund; and also, from the same gentleman, as agent of the state, a report of the sales of lots, amount of monies received thereon, and the monies expended in the erection of a fire proof office, for the Clerk of the Supreme Court.

Which reports were severally read, the former of which reports relative to the three per cent. fund, was referred to the committee of ways and means, and the latter of which reports, was referred to the committee on the affairs of the town of Indianapolis, relative to state property.

The bill to repeal a part of the law now in force relative to public roads and highways; was read a second time, and laid on the table.

The bill incorporating the Indianapolis Steam Mill Company, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday the 17th inst,

The bill to amend an act entitled an act relative to crime and punishment, was read a second time, and ordered to lie on the table.

The bill to provide for the purchase of Stationary for the use of the General Assembly, and also for the public printing; was read a second time, amended in an unimportant particular, and ordered to be engrossed for third reading to-morrow.

Mr. Thornton, principal clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed an engrossed bill, supplemental to an act entitled an act changing the mode of doing county business, in certain counties therein named, approved, January 26, 1827; in which, the concurrence of the Senate is requested.

And the said bill was read a first time now, and ordered for second reading to-morrow.

The bill to amend the law regulating Grist Mills and millers, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to continue the state road from Bono to Terre Haute, was read a second time, and ordered to be engrossed for third reading to-morrow.

The bill legalizing certain proceedings of the Associate Judges of the several counties within this state; was read a second time, when,

Mr. Rariden moved to postpone the farther consideration of the said bill indefinitely:

Which motion did not prevail, and the said bill was committed to a committee of the whole Senate, and made the order of the day for Monday next.

The engrossed bill, to organize the county of Hancock, was read a third time and passed, and

Mr. Earnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed joint resolution of the General Assembly, to instruct our Senators, and request our Representatives in Congress, to use every reasonable effort to restrain the importation of hemp, raw wool, and woollens, and to afford all possible encouragement to all articles of American growth and manufacture, and to give their united aid and co-operation to those of our sister states, who encourage a national system of domestic manufactures and internal improvements; was read a third time, and on the question, shall this joint resolution pass? The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Colman, Cotton, Daniel, Ewing, Fletch-

er, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—16.

And those who voted in the negative, were,

Messrs. Canby, Givens, Milroy, Simonson and Smiley—5.

So it was decided in the affirmative; and the said joint resolution passed; and,

Mr. Farnham, was instructed to inform the House of Representatives thereof, and request their concurrence therein.—Whereupon,

Messrs. Canby, Givens, Milroy and Smiley, now notified the Senate, that they would at a convenient time, enter their protest on the journals of this Senate, against the passage of the joint resolution aforesaid.

And the Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, DECEMBER 14, 1827.

The Senate assembled.

Mr. Thornton, Clerk to the House of Representatives, now informed the Senate, that the House of Representatives have passed bills of the following titles, to-wit:

An act supplemental to the act, entitled an act regulating the admission and practice of attornies and counsellors at law—Approved January 31, 1824.

An act supplemental to an act entitled an act allowing and regulating the writ of *Ad quod damnum*.

An act for the relief of Thomas Wyatt.

And a joint resolution, and accompanying memorial on the subject of procuring a further extension of the several acts of Congress, passed for the relief of the debtors to the United States for public lands; in which several bills and joint memorial, they request the concurrence of the Senate.

And the said several bills and joint resolution and memorial were now read a first time in Senate, and ordered for a second reading to-morrow.

Mr. Blair laid before the Senate the petition of John Tipton, and others, inhabitants of Allen county, praying the establishment of a state road from Terre Haute to Fort Wayne—which was read and referred to a select committee to report thereon:

And Messrs. Blair, Colman and Morgan were appointed that committee.

Mr. Clark, from the Committee on Military Affairs, now reported a bill to amend an act entitled an act, to regulate the Militia of the state of Indiana—Approved January 20, 1824: which was read and ordered for a second reading to-morrow.

Mr. Gregory, from the Committee on Roads and Highways, to whom the subject had been referred, now reported a bill to locate a road from Lake Michigan, by the way of Indianapolis, to the Ohio River; which was read, and ordered for a second reading to-morrow.

Mr. Givens, from the Committee on Elections, to whom had been referred the petition of James Osborn, and other inhabitants of Union county, relative to certain alterations in the election law, so as to confine voters to their proper townships, now reported, that the committee have had the same under consideration, and have instructed him to report, that it is inexpedient to legislate thereon; as the law on that subject is amply sufficient, and in strict accordance with the constitution—and the said report, having been read, was concurred in.

Mr. Maxwell, chairman of the Committee on Education, to whom the subject had been referred, now made the following report, to-wit: the Committee on Education to whom was referred, two several reports of the Secretary of State, as State Librarian, have had the same under consideration, and find the said reports to correspond with the joint resolution of the last General Assembly, on the subject of the State Library.

Mr. Ewing, on leave being granted, introduced a bill to encourage Manufactures; which was read a first time and ordered for a second reading to-morrow morning.

On motion by Mr. Graham,

Resolved, That the Agent of State at Indianapolis, be requested to make an estimate of, and lay before the Senate, the amount of money which has been due, or may be due to the county of Marion, for the use of a county library, agreeably to the provisions of the fifth section of an act for the formation of a new county, out of the county of Delaware; and also an estimate of the probable amount that may hereafter be due to said county, from the proceeds of future sales; and that the Secretary of the Senate be instructed to notify said agent of the adoption of this resolution.

On motion by Mr. Rariden,

The bill to amend an act entitled an act relative to crime and punishment, was taken up, committed to a committee of the whole Senate, and made the order of the day for Monday, the 17th inst.

The bill to amend an act, providing for the partition of real estate, was read a second time, committed to a committee of the whole senate, and made the order of the day for to-morrow.

The bill allowing the county of Marion per cent. out of the sales of lots in the town of Indianapolis, for the use of a county library, was read a second time, and laid on the table.

The bill for the benefit of the devisees of Thomas Watts, deceased, was read a second time, ordered to be considered as engrossed, and read a third time to-morrow.

The bill changing the time of holding elections for representatives to Congress, was read a second time; when Mr. Rariden moved to postpone the further consideration of the said bill, indefinitely.

And on the question, Shall the further consideration of this bill be indefinitely postponed?

The ayes and noes being demanded by two members, those who voted in the affirmative were,

Messrs. Cotton, Ewing, Milroy, Oliver, Rariden, Simonson, Smiley and Watts—8;

And those who voted in the negative were,

Messrs. Blair, Canby, Clark, Colman, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Montgomery and Morgan—13.

So it was decided in the negative.

And the said bill was committed to a committee of the whole Senate, and made the order of the day for Monday the 17th instant.

The engrossed bill from the House of Representatives, supplemental to an act entitled an act changing the mode of doing county business in certain counties therein named; was read a second time, and laid on the table.

The Senate, according to order, resolved itself into a committee of the whole, on the bill to amend the law regulating grist mills and millers, Mr. Daniel in the chair; when, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported to the Senate, that the committee of the whole had, according to order, had the said bill under consideration, had made some progress therein, but not having time to go through the whole bill, had instructed him to ask leave to sit again.

And on the question, Shall leave be granted? it was decided in the negative.

The bill was then recommitted to a select committee, to amend and report thereon.

And Messrs. Gregory, Graham and Simonson, were appointed that committee.

And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill to authorize persons to retail spiritous or strong liquors, without the requisitions of a tavern keeper, was read a third time, and, on the question, Shall this bill pass? the ayes and noes being demanded by two members;

Those who voted in the affirmative were,

Messrs. Blair, Clark, Cotton, Fletcher, Givens, Gregory, Maxwell, Milroy, Montgomery, and Morgan—10;

And those who voted in the negative, were,

Messrs. Canby, Colman, Ewing, Graham, Lane, Rariden, Simonson, Smiley and Watts—9.

So it was decided in the affirmative,

And the said bill passed, and Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill to continue the state road from Bono to Terre Haute, was read a third time and passed; and Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill to provide for the purchase of stationary, for the use of the General Assembly, also for the public printing, was read a third time and passed; and Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed Joint Resolution relative to the purchasers of public lands, was read a third time and passed—and Mr. Farnham was instructed to inform the house of representatives thereof, and request their concurrence therein.

Mr. Ewing, from the Committee on Canals and Internal Improvements, now reported,

A bill to provide for the summit level section of the Wabash Canal, and the examination of the Maumee river; which was read twice by consent, committed to a committee of the whole Senate, and made the order of the day for Wednesday next, 19th inst. and the Secretary directed to furnish the public printer with a copy of said bill, and order 100 copies of the same to be printed.

Mr. Ewing obtained leave to introduce a bill to tax and regulate the admission of attorneys and counsellors at law: Which was twice read, and ordered to lie on the table.

Mr. Maxwell, from the Committee on Education, to whom was referred the petition of Daniel Langton and others, on the subject of the county seminary of Knox county, reported, that the said committee have had the same under consideration, and instructed him to report a bill to provide for the government of the seminary of Knox county;

Which bill was now handed in and read, and ordered for a second reading to-morrow.

Mr. Maxwell, from the same Committee on Education, to whom was referred a resolution of the Senate, on the subject of providing for additional sales of the Seminary Lands, in Gibson and Monroe counties, now reported,

A bill making further provision for the sale of the seminary townships of land in Gibson and Monroe counties;

Which bill was read, and ordered for a second reading to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, DECEMBER 15, 1827.

The Senate assembled.

The President laid before the Senate, the report of B. I. Blythe, agent of state, at Indianapolis, relative to the amount of monies due to the Marion county Library, from the sales of lots at Indianapolis, pursuant to a resolution of the Senate of yesterday; and the said report was read, and ordered to lie on the table.

Mr. Cotton, laid before the Senate, the petition of William C. Keene and others, inhabitants of Switzerland county, praying the establishment of a state road from Madison by the way of Vevay, to Lawrenceburgh; which was read and referred to a select committee to report thereon; and,

Messrs. Cotton, Watts and Canby, were appointed that committee.

Mr. Simonson, from the committee on Canals and internal improvements, to whom was referred a resolution on the subject, of that part of the proposed Canal connecting the waters of the Wabash with those of Lake Erie, which is under the jurisdiction of the state of Ohio; now reported a joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river, with

those of Lake Erie; which was read, and ordered for second reading on Monday next.

Mr. Rariden, from the judiciary committee, to whom had been referred a resolution of the Senate of the 12th inst. on the subject of transmitting appeals from Justices of the Peace to the Clerk's offices, now reported, that they had taken the same under consideration, and are of opinion it is inexpedient to legislate on the subject:

And the said report being read, was concurred in.

Mr. Graham, from the select committee to whom was referred the bill, to amend the law regulating Grist Mills and Millers, now reported the said bill with amendments to which amendments the concurrence of the Senate was requested; when,

After sundry amendments to the said report, it was concurred in; and the bill being further amended in Senate, was,

On motion by Mr. Oliver,

Recommitted to a committee of the whole Senate, and made the order of the day for Monday next.

Messrs. Canby, Givens, Milroy and Smiley, four members of the Senate, who on the 13th inst. gave notice to the Senate, that they would enter their protest against the passage of the joint resolution of the General Assembly, instructing our Senators and requesting our Representatives in Congress, to use all possible efforts in protecting domestic manufactures, and promoting a national system of internal improvement, now offered their said protest; and some objections having been raised against entering the same on the journals of the Senate, the President of the Senate decided that they had a constitutional right to have the said protest entered on the journals; from which decision of the President,

Mr. Gregory took an appeal, objecting, that the said protest contained matter irrelevant, contradictory, and not warranted by the language of the said resolution:

When after considerable discussion on the subject, the said appeal was withdrawn, and the resolution and protest ordered to be spread on the journals as follows, to-wit:

Whereas, in the opinion of the General Assembly of the state of Indiana, it is the true policy, and the imperious duty of the General Government, to foster and encourage every branch of national industry, which in any degree has a tendency to render us independent of foreign capital; or skill, or add to the wealth and resources of the nation; and more particularly to protect those manufactures that are necessary to our comfort

and convenience, for which the raw materials are, or ~~may~~ be, abundantly produced in this country; and by a proper regulation of the tariff, to place the American manufacturer beyond the reach of foreign combinations, which may be formed to paralyze his energies and efforts, and to enable him successfully to compete in the American market, with the European capitalist: and whereas, our experience of the advantages resulting from the late, though limited protection afforded to the manufactures of cotton, has not only tested the soundness of the principles, and correctness of the policy, upon which the measure was predicated, but affords most certain evidence of the expediency and the necessity of such further revision of the tariff as will give adequate protection and encouragement to the culture of hemp, the growth of wool, and the manufacture of wollens: and whereas, we believe the future interests and prosperity of the western country, are deeply and particularly involved in the success of a measure which is dictated by policy, and duty, and has been tested by experiment, and is demanded by our situation and necessities: Therefore,

Resolved, That our Representatives in Congress be specially requested, and our Senators instructed, to use every reasonable effort to restrain the importation of hemp, and wool, and wollens, and to afford full and ample protection and encouragement to all articles of American growth and manufacture; and to give their united aid and co-operation to those of our sister states, who encourage a national system of domestic manufacture, and internal improvements.

Adopted in Senate, 13th Dec. 1827.

JOHN H. FARNHAM, *Assist. Sec.*

THE FOLLOWING IS THE PROTEST.

In protesting against the joint resolution of the General Assembly, which passed the Senate on the 13th inst. the undersigned feel it a duty which they owe to themselves, their political friends, and their constituents, to avow themselves the warm and decided friends of domestic manufactures and internal improvements, and pledge themselves to support, honestly and heartily, the friends of the country and the constitution in the encouragement and protection of the national industry in all its branches, agricultural, manufacturing and commercial, in the development of the resources of the country, and in all their efforts for its general improvement. They object to the passage of the resolution, because it is partial in its provisions, and

because they deem it inexpedient, at this time, to legislate on the subject.

The undersigned consider the aforesaid resolution a direct censure of the conduct of our Representatives in Congress who voted against the woollens bill of the last session—a measure partial in its provisions, and unjust in its operation on the western country, for it imposed enormous duties on imported woollens, a measure in which the eastern states are particularly interested, whilst it left the manufacturers of iron, lead and domestic distilled spirits, the growers of wool, and hemp, and the agriculture of the west, in general, without protection; and when a proposition was made by a western member, to include domestic distilled spirits in the bill, it was rejected; thereby shewing a determination on the part of the friends of that measure, to protect eastern, to the exclusion of western interests.

The undersigned firmly believe, that any attempt by the Legislature, under any circumstances, to influence public opinion in relation to the Presidential election in favor of any candidate, would be improper, and a breach of the trust confided to them by their constituents, and that the passage of this resolution will be used to influence public opinion within this state, but more especially within the adjoining states, as to the vote of Indiana, at the approaching election of President of the United States.

The undersigned deprecate the spirit of the last clause of the resolution, in their opinion but too well calculated to engender sectional animosities, and array state against state.—They therefore feel it their bounden duty to enter this protest.

ISRAEL T. CANBY,
ROSS SMILEY,
THOMAS GIVENS,
JOHN MILROY.

Whereupon,

Mr. Rariden offered the following objections to entering the aforesaid protest on the journals:

The undersigned, whilst he concedes great latitude to the minority in protesting against acts and proceedings of the majority, protests against the extension of that right, so far as to authorize gentlemen in the minority, after their deliberate and solemn vote, denouncing the protection given by the general government to our domestic manufactures, and denying the powers of the general government, to carry on and prosecute the present plan for the internal improvement of the country,

to then, by way of protest, spread contrary opinions on the journals on those subjects, and vindicate themselves from the effects of an unpopular vote, and ruinous policy, by imputing to the friends of the American system, and of this resolution, a design to mislead the public mind on other political topics, and thereby excuse themselves by holding up the proposition as a mere political manœuvre, and slight of hand trick, of the friends of the present administration.

The undersigned admits, that the circumstance of the minority being anxious for the promotion of a particular individual to the presidential chair, may be a good reason for *their opposition to the policy*, in the resolution recommended, but denies that, *that circumstance* is of itself sufficient to alter the nature or character of the policy recommended. The undersigned further protests against the indulgence asked on the part of the minority, to object against the passage of this resolution, because it does not embrace other productions of the United States, because in reality that minority suggested no such amendments, except foreign distilled spirits, and conceiving that such a course is calculated to impose upon the public, and give such minority credit for principles they do not advocate.

JAMES RARIDEN.

Which objections the President decided to be out of order, with a view to be spread on the journals, and,

On motion, the Senate granted leave that the same should be spread on their journals.

Whereupon, Mr. Canby gave notice that he should protest against the act of the Senate, admitting the aforesaid objections of Mr. Rariden on the journals.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill supplemental to an act, entitled an act allowing and regulating the writ of ad quod damnum, from the House of Representatives was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The engrossed bill supplemental to the act, entitled an act regulating the admission and practice of Attornies and Counsellors at Law, approved, January 31, 1824, from the House of Representatives, was read a second time, committed to a

committee of the whole Senate, and made the order of the day for Monday next.

And the bill to tax and regulate the admission of Attornies and Counsellors at Law, was now taken up and committed to the same committee as the bill last above named.

The engrossed bill for the relief of Thomas Wyatt, from the House of Representatives, was read a second time, and ordered for a third reading on Monday next.

The engrossed joint resolution and accompanying memorial on the subject of procuring a further extension of the several acts of Congress, passed for the relief of debtors to the United States, for public lands, from the House of Representatives was read a second time, and ordered to be laid on the table.

The bill to amend an act, entitled an act to regulate the Militia of the state of Indiana, approved, January 20, 1824, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday the 17th instant.

The bill to locate a road from Lake Michigan, by the way of Indianapolis to the Ohio river; was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The bill to encourage manufactures, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The bill to provide for the government of the Seminary of Knox county, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The bill making further provision for the sale of the Seminary townships of land in Gibson and Monroe counties, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Tuesday the 18th instant.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed a bill supplemental to an act "to provide for carrying the laws into effect in new counties;"

And they have adopted a joint resolution "relative to the navigation of the Wabash river;" in both of which they ask the concurrence of the Senate.

And the said bill and joint resolution were severally read a first time, and severally ordered for a second reading on Monday next.

And the Senate adjourned to 9 o'clock on Monday next.

MONDAY, DECEMBER 17, 1827.

The Senate assembled.

"The President being absent, in consequence of indisposition, Mr. Graham was called to the chair, by unanimous consent.

Mr. Lane, from the select committee to whom had been referred the petition of Frederick Blume and others, inhabitants of Harrison county, on the subject of the estray law, now reported, a bill regulating estrays, and water-crafts going adrift; which was read a first time, and ordered for a second reading to-morrow.

Mr. Milroy, from the select committee to whom had been referred the petition of sundry inhabitants of Lawrence county, on the subject of a state road from Indianapolis, via Bono, to Leavenworth, now reported a bill to establish a state road from Leavenworth, in the county of Crawford, to Bono in Lawrence, thence to Indianapolis;

Which was read and ordered to a second reading to-morrow.

Mr. Rariden obtained leave to introduce a bill to amend an act, entitled an act to amend the several acts now in force, relative to assessing and collecting the revenue.—Approved January 24, 1827;

Which was twice read and referred to the Committee of Ways and Means.

Mr. Clark, from the Military Committee, to whom had been referred so much of the Governor's Message as related to the defects in certain ordnance manufactured at Pittsburg, now reported;

Which report was read, and ordered to lie on the table.

Mr. Fletcher offered for adoption, the following resolution, to-wit:

Resolved, That the Committee on Roads and Highways be requested to inquire into the propriety of allowing William C. Blackmore a reasonable compensation for extra work done and performed, by and at the instance and request of the commissioners appointed to locate and open a state road from Indianapolis to Fort Wayne, with leave to report by bill or otherwise, and, on the question, Shall this resolution be adopted? it was decided in the negative.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have adopted certain joint resolutions of the General Assembly,

"relative to purchasers of public lands," which originated in the Senate without amendment.

They have also adopted a joint resolution "relative to the northern boundary of the state of Indiana."

They have passed engrossed bills of the following titles, to-wit:

1st. An act to revive an act entitled an act, for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed 7th Sept. 1814.

2d. An act directing the mode of suing out and prosecuting writs of habeas corpus; and;

3d. An act to establish a Canal to connect the navigable waters of the Wabash river, with the navigable waters of the Miami of Lake Erie; in which several bills and joint resolution they ask the concurrence of the Senate.

The engrossed joint resolution relative to the northern boundary of the state of Indiana: The engrossed bill to revive an act entitled an act for the relief of such persons as have suffered or may hereafter suffer, by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814: And the engrossed bill directing the mode of suing out and prosecuting writs of habeas corpus; from the House of Representatives, were severally read a first time now in Senate, and severally ordered for second reading to-morrow.

The engrossed bill to establish a Canal to connect the navigable waters of the Wabash river, with the navigable waters of the Miami of Lake Erie, from the House of Representatives was read twice by common consent, and committed to the same committee of the whole Senate, to which had been committed the bill of the Senate on the same subject, and with said bill made the order of the day for the 19th inst.

The joint resolution relative to the navigation of the Wabash river, from the House of Representatives, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Wednesday next.

The engrossed bill, supplemental to an act to provide for carrying the laws into effect in new counties, from the House of Representatives, was read a second time and ordered for third reading to-morrow.

The joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the

Wabash river, with those of Lake Erie; was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill for the benefit of the devisees of Thomas Watts deceased, was read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill for the relief of Thomas Wyatt, from the House of Representatives, was read a third time and passed without amendment, and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

On motion by Mr. Ewing,

The bill to encourage manufactures, was committed to the same committee of the whole Senate, to which had been committed, the bill to incorporate the Indianapolis Steam Mill Company:

And the Senate now according to order resolved itself into a committee of the whole on the said two several bills; Mr. Givens in the chair:

When after some time spent thereon, Mr. President resumed the chair, and, Mr. Chairman reported:

That the committee of the whole Senate had, according to order, had the said bills under consideration, had made some progress in the last mentioned of said bills, but not having time to go through the whole of the said bills, had instructed him to report the same to the Senate, and ask leave to sit again; and by unanimous consent of the Senate leave was granted.

On motion by Mr. Cotton,

The orders of the day were postponed: when,

On motion by Mr. Cotton,

Resolved, That the doorkeeper be instructed to procure fuel for the use of the Senate, when the same shall not be furnished in sufficient quantities by the contractor.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The President of the Senate now attended, and took the Chair.

The President laid before the Senate a communication from the Secretary of State, giving a detailed statement of the number of copies of the several acts of Congress, which are now

in his office, in obedience to a resolution of the Senate, which was read, and ordered to lie on the table.

The Senate again according to order resolved itself into committee of the whole, on the bill to incorporate the Indianapolis Steam Mill company; and the bill to encourage manufactures; Mr. Givens in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported:

That the committee of the whole Senate, had according to order, had the said bills under consideration, had made two amendments to the first mentioned bill, in which they had instructed him to request the concurrence of the Senate, and had also instructed him to report the last mentioned bill without amendment;

And the amendments made to the first mentioned of the above named bills, were read, and concurred in:

Mr. Ewing then moved, that the said bills be laid on the table, when a division of the question was called for by Mr. Fletcher, and the question first put, shall the bill to incorporate the Indianapolis Steam Mill Company, be laid on the table? It was decided in the negative:

And on the question, shall the bill to encourage manufactures, be laid on the table? It was decided in the affirmative.

Mr. Clarke, then moved further to amend the bill, to incorporate the Indianapolis Steam Mill Company, by adding thereto, at the end of the same, the following, as an additional Section, to wit:

"Sec. The said corporation shall not at any time, hold a larger amount of land than six hundred and forty acres."
Which amendment was rejected.

Mr. Rariden then moved to recommit the said bill to a select committee, with leave to amend the same, which motion was decided in the negative; and the said bill was ordered to be engrossed for third reading to-morrow.

The Senate now, according to order, resolved itself into committee of the whole, on the bill to amend the act entitled an act to provide for the partition of real estate, approved, January 2d, 1824; Mr. Ewing in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported;

That the committee of the whole Senate had, according to order, had the said bill under consideration, had made sundry

amendments thereto, and had instructed him to request the concurrence of the Senate therein:

And the same having been read, were concurred in; and the bill as amended, ordered to be engrossed for a third reading to-morrow.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill to legalize certain proceedings of the Associate Judges in the several counties in this state; Mr. Fletcher in the chair, when, after some time spent thereon, the committee rose;

Mr. President resumed the Chair, and Mr. Chairman reported;

That the committee of the whole Senate had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to request the concurrence of the Senate therein.

And on the question, will the Senate concur in the amendments made to said bill in committee of the whole?

It was decided in the negative.

Mr. Ewing then offered the following proviso, to wit: "provided that the courts aforesaid, were opened by proclamation, as usual, and the parties interested were present."

Which amendment was adopted; and the bill as amended, ordered to be engrossed and read a third time to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, DECEMBER 18, 1827.

The Senate assembled.

Mr. Simonson, obtained leave to introduce a bill to authorize the qualified voters of this state to vote for or against a Convention, for the revision of the Constitution of this state; which was read a first time, and ordered for a second reading to-morrow.

Mr. Rariden, from the Judiciary committee to whom the subject had been referred, now reported a joint resolution of the General Assembly, relative to the Muskakituck bridge; which was read a first time and ordered for a second reading to-morrow.

On motion by Mr. Smiley,

Resolved, That the committee on roads be instructed to inquire into the expediency of allowing Supervisors a reasonable compensation for the time necessarily employed in warning hands, and that said committee report thereon.

Mr. Fletcher now gave notice, that he would, on to-morrow, move to amend the 16th rule of the Senate, after the words, "no member shall be compelled," to insert the words "or permitted," so that the said rule shall read as follows, to-wit: "No member shall be compelled or permitted, to vote on any question, in the event of which he is immediately and particularly interested, or in any case, where he was not present when the question was put.

The engrossed bill directing the mode of suing out and prosecuting writs of habeas corpus—

The engrossed bill to revive an act entitled an act, for the relief of such persons as have suffered, or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire in the year 1814; and,

The joint resolution, relative to the northern boundary of the state of Indiana, from the House of Representatives, were severally read a second time, severally committed to committees of the whole Senate, and severally made the orders of the day for to-morrow.

The bill regulating estrays, and water crafts going adrift, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to establish a state road from Leavenworth in Crawford county to Bono in Lawrence county, and thence to Indianapolis, was read a second time, and ordered to be engrossed for a third reading to-morrow.

The Senate now according to order, resolved itself into a committee of the whole, on the bill to amend the act entitled an act relative to crime and punishment, Mr. Gregory in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the Chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to request the concurrence of the Senate therein:

And the said amendments being considered separately; the first amendment was concurred in; and the second amendment being read, which was by striking out the word "may" and

inserting in lieu thereof, the word "shall" thereby so amending the said bill as to make it imperative on the jury, who may try and convict the criminal, to insert in their verdict also, the deprivation of certain franchises and privileges, instead of leaving the bill as before, discretionary with the jury, whether to disable or not:

And on this question, the ayes and noes being demanded by two members;

Those who voted in the affirmative, were,
Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Lane, Milroy, Montgomery and Smiley—11.

And those who voted in the negative, were,
Messrs. Fletcher, Givens, Graham, Gregory, Maxwell, Morgan, Oliver, Rariden, Simonson and Watts—10.

So it was decided in the affirmative,

And the said amendment adopted;

Mr. Simonson then moved to amend the bill, by striking out so much thereof, as inflicts stripes for the crime of petit larceny:

And on this question, the ayes and noes being demanded by two members;

Those who voted in the affirmative, were,
Messrs. Blair, Fletcher, Givens, Lane, Milroy, Simonson and Smiley—7.

And those who voted in the negative, were,
Messrs. Canby, Clark, Colman, Cotton, Daniel, Ewing, Graham, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—14.

So it was decided in the negative.

And the said proposed amendment rejected.

Mr. Rariden then moved so to amend the bill as to leave it discretionary with the jury to limit the period of disfranchisement to any term not exceeding five years, for petit larceny;

Which amendment was adopted.

Mr. Fletcher then moved to amend the said bill in sundry particulars:

One of which had been made in committee of the whole, and concurred in Senate; which motion was decided to be out of order:

Mr. Ewing then moved further to amend the said bill, by adding thereto the following proviso, to-wit. "Provided that Justices of the Peace shall have jurisdiction, over all such offences, where the amount or value charged as stolen shall not exceed three dollars;"

And on the question, shall the said amendment be adopted?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Ewing, Maxwell, Milroy and Montgomery—5.

And those who voted in the negative, were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—16.

So the said amendment was rejected.

Mr. Ewing then moved further to amend said bill, by striking out so much thereof as subjects those convicted of petit larceny, to the punishment of disfranchisement:

Which was decided in the negative.

Mr. Milroy then moved to amend the said bill by striking out the word "three," and insert the word "two;"

The object of which amendment was to make the punishment for grand larceny to confinement in the State Prison, not less than "two years," instead of "three years;" which amendment did not prevail.

Mr. Milroy then moved to amend the said bill, by adding to the disabilities incurred by persons guilty of the crime of petit larceny the following words, after the word "or" "to vote at any election for officers, civil or military;"

Which amendment was adopted.

Mr. Clark then moved to recommit the said bill to a select committee to amend and report thereon, and previous to any question being taken thereon;

The Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate again resumed the consideration of the bill to amend an act entitled an act relative to crime and punishment;

On the motion of Mr. Clark, to recommit the said bill to a select committee:

And on the question being put, shall this bill be re-committed to a select committee?

It was decided in the affirmative.

And Messrs. Clark, Ewing and Fletcher, were appointed that committee.

The Senate now according to order, again resolved itself into committee of the whole, on the bill to amend the law regulating Grist Mills and Millers, Mr. Lane in the chair;

When, after some time spent thereon, the committee rose; Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said bill under consideration, had made an amendment thereto, which was by striking the same out from the enacting clause, and had instructed him to request the concurrence of the Senate therein;

And on the question, will the Senate concur in the amendment made in committee of the whole to said bill?

It was decided in the negative.

Mr. Oliver then moved to amend the bill by inserting after the words "Grist Mills," the words "in actual operation;"

Which amendment was adopted.

The bill was then amended in some of its details, and ordered to be engrossed for a third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed bills from the Senate of the following titles, viz:

An act to organize the county of Hancock, and,

An act to provide for the purchase of stationary for the use of the General Assembly, and also for the public printing, both without amendment.

And they have adopted a joint resolution "respecting the office of the Clerk of the District Court of the U. S. for the district of Indiana," in which they ask the concurrence of the Senate.

And the said joint resolution, was read and ordered for a second reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have adopted a joint resolution "relative to the removal of the Pension Office from Corydon to Indianapolis," in which the concurrence of the Senate is requested.

And the said resolution having been read in Senate,

Mr. Cotton moved, that the said resolution be rejected, which motion did not prevail:

And the said resolution was ordered for a second reading to-morrow.

The Senate now according to order, resolved itself into a committee of the whole, on the bill supplemental to an act entitled an act, allowing and regulating the writ of ad quod damnum; Mr. Maxwell in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate, had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to request the concurrence of the Senate therein; and,

On motion by Mr. Rariden,

The said amendments were concurred in, and the further consideration of the said bill indefinitely postponed.

And the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, DECEMBER 19, 1827.

The Senate assembled.

Mr. Graham from the committee of Ways and Means, to whom was referred the bill to amend an act entitled an act to amend the several acts now in force relative to assessing and collecting the revenue; now reported, that they have discharged that duty, and recommend the adoption of the following amendment, to-wit:

To strike out the following words, being the latter clause of the bill;

"The 23d Section of the act entitled an act to amend an act for assessing and collecting revenue, approved, February 12, 1825; be and the same is hereby repealed."

And the said report was read and concurred in, and the aforesaid bill was re-committed to a committee of the whole Senate and made the order of the day for to-morrow.

Mr. Oliver, laid before the Senate the petition of David Mounts, Samuel Shirk and John Davis, road commissioners on the Brookville road, relative to that part of the three per cent. fund appropriated for said road, and praying redress therein.

Which petition was read and referred to the committee on public roads and highways, to report thereon.

Mr. Graham from the committee of Ways and Means, to whom the subject had been referred, now reported a bill to provide for the settlement of the accounts of the commissioners of certain state roads.

Which was read, and ordered for a second reading to-morrow.

Mr. Watts, from the committee on Railways, to whom was referred so much of the Governor's Message as relates to Railways, now reported, that,

The committee on Railways, to whom was referred so much of the Governor's Message as relates to Railways, and the expediency of adopting that mode of improvement, in lieu of Canals, to facilitate intercourse with our sister states:—

Report, that it is not within the knowledge of your committee, if any state or country have perfected Railways to any great extent; and at every point where such mode of conveyance or transportation is approved of, or deemed of use, a water communication has been found to be impracticable.

Your committee are destitute of the knowledge of Railways, which a profitable and advantageous experience of sister states afford of Canals; but judging by all they know of the railways substitute, it is believed to be worthy of serious notice, only where water to supply a Canal is found to be wanting. This state is at present unable to furnish a permanent material of which to construct a Railway, and it is conceived, from all the data within reach, that the immense expenditure necessary to procure such a material, with the nature of our bulky products, the uneven surface of the country through which such a road would unavoidably pass, its limited utility, comparatively, even were it completed, and above all, the abundance of water to supply our necessary Canals, at a much less expense, unite in giving strength to a conviction, that the idea of Railways in this state to any great extent, or at any point where a water conveyance can be effected, is visionary. Indeed, it is believed, that every consideration of usefulness, practicability, durability, and economy, point to Canals, and render it obviously inexpedient to waste time upon the subject of railways.

It is fresh in the memory of your committee, that a liberal grant of land has been made by the Congress of the United States, to aid this state in effecting a connexion of the navigable waters of the Wabash, with those of the Miami of the Lake; and that the general government have ordered a corps of engineers to survey the route of a Canal, to shew us the practicability of that work; and your committee do not believe that any diversion, or change, in regard to that great improvement, would be either wise or politic.

Your committee therefore ask to be discharged from the further consideration of the matter.

And the said report was read and concurred in, and the com-

mittee discharged from the further consideration of the subject.

On motion by Mr. Gregory,

Resolved, That the Secretary of the Senate be instructed to call on the Governor and request him to lay before the Senate, the survey of the line between the state of Indiana and the Michigan Territory, as ordered by an act of Congress, approved, 2d March, 1827.

Mr. Smiley, obtained leave to introduce a bill to amend an act, entitled an act, to establish county Seminaries in the several counties therein named:

And the said bill was read and ordered for a second reading to-morrow.

On motion by Mr. Simonson,

Resolved, That his Excellency the Governor be requested to lay before the Senate, the several proposals he may have received for the superintendency of the state prison.

Mr. Milroy, obtained leave to introduce a bill providing for the improvement of the navigation of the White rivers:

Which was read and ordered for a second reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that,

They have compared the following enrolled, with the engrossed joint resolutions, to-wit: joint resolutions of the General Assembly, relative to the purchasers of public lands; and find the same truly enrolled.

On motion by Mr. Fletcher,

The Senate now proceeded to the consideration of the amendment yesterday proposed by him, to the 16th Rule, of the Rules for the Government of the Senate, so as to add after the word, "compelled," the words "or permitted;"

When after some discussion thereon, the question was put, shall the 16th Rule be so amended? And decided in the negative.

The bill to authorize the qualified voters of the state, to vote for or against a Convention, for the revision of the Constitution of this state, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed joint resolution respecting the office of the Clerk of the District Court of the United States, for the District of Indiana, from the House of Representatives, was read a second time; and the further consideration thereof, indefinitely postponed.

The joint resolution of the General Assembly, relative to the Muskackituck bridge, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The joint resolution relative to the removal of the Pension Office, from Corydon to Indianapolis, was read a second time, and with sundry documents, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill heretofore laid on the table, allowing the county of Marion per cent. out of the sales of lots in the town of Indianapolis, for the use of a county library, was read a second time, committed to a committee of the whole Senate, together with the report of the agent of state, and made the order of the day for to-morrow.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill making further provision for the sales of the Seminary lands in Gibson and Monroe counties, and for other purposes; Mr. Milroy in the chair, when after some time spent thereon, the committee rose:

Mr. President resumed the Chair, and Mr. Chairman reported, that,

The committee of the whole Senate, had, according to order, had the said bill under consideration, had made some amendments thereto, and had instructed him to request the concurrence of the Senate:

And the same having been read at the Secretary's table, were concurred in, and the bill as amended ordered to be engrossed for a third reading to-morrow.

The Senate now, according to order, resolved itself into a committee of the whole, on the joint resolution of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river, with those of Lake Erie;

Mr. Montgomery in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the same to the Senate, with one amendment, which was read and concurred in, and,

On motion, the joint resolution was ordered to lie on the table.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The President laid before the Senate a communication from

the Governor, relative to the survey of the northern boundary of this state:

And a communication relative to such proposals as had been made to rent the State Prison, enclosing certain propositions from one James Keigmin, relative to the State Prison, all of which were read;

And that part of the same relative to the northern boundary line of the state, was ordered to lie on the table;

And that part of said communication, relating to the State Prison, was referred to the standing committee on the affairs of the State Prison.

The Senate, according to order, resolved itself into a committee of the whole on the bill supplemental to the act entitled an act, regulating the admission and practice of Attornies and Counsellors at Law, approved, January 31st, 1824; from the House of Representatives; and,

The bill to tax and regulate the admission of Attornies and Counsellors at Law;

Mr. Morgan in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to request the concurrence of the Senate therein.

And the amendments made in committee of the whole to the said bill, were now read at the Secretary's table, as follows, to-wit:

That no attorney or counsellor at law shall hereafter be allowed to practice in this state, until he has filed in the clerk's office of the county wherein he resides, a bond, with at least one substantial freeholder, as security for the faithful discharge of his duty, under the law, and to be liable for all losses or costs arising from neglect or error of proceedings in the management of the causes confided to him.

And also to strike out so much of the proviso as allows succeeding circuit courts to revoke the suspension, and thus reinstate the offender.

And also to the end of the second section, the following proviso, to-wit:

Provided that a reasonable time shall be viewed and taken as not extending beyond ten days after the making of the same.

All of which amendments were offered in committee of the whole Senate, by Mr. Ewing.

And, on the question, Will the Senate concur in the amendments made in committee of the whole to said bill, the ayes and noes being demanded by two members, those who voted in the affirmative were

Messrs. Blair, Daniel, Ewing, and Oliver—4;

And those who voted in the negative were

Messrs. Canby, Clark, Colman, Cotton, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Rariden, Simonson, Smiley and Watts—17.

So the said several amendments were rejected.

The bill was then ordered for third reading to-morrow, without amendment.

And on motion, the further consideration of the bill to tax and regulate the admission of Attornies and Counsellors at Law, was indefinitely postponed.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill to amend an act entitled an act, to regulate the Militia of the state of Indiana, approved, January 20th, 1824;

Mr. Oliver in the chair; when, after some time spent thereon the committee rose:

Mr. President resumed the Chair, and Mr. Chairman reported, the bill to the Senate, with sundry amendments; which were read and concurred in, and the said bill as amended, was ordered to be engrossed for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed a bill, entitled "an act to amend the act entitled an act relative to crimes and punishments;" in which they ask the concurrence of the Senate.

And the said bill was read a first time, and ordered for second reading to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, DECEMBER 20, 1827.

The Senate assembled.

Mr. Colman laid before the Senate the petition or memorial of Henry Markle, relative to the last will and testament of his deceased brother, William Markle:

Which was read, and referred to the Judiciary committee to report thereon.

Mr. Cotton, from the committee to whom had been referred the petition of William C. Keene, and others, praying the establishment of a state road from Madison to Lawrenceburgh, now reported, that,

There is already two state roads leading from Madison to Lawrenceburgh, and to establish a third, would, in the opinion of your committee, be an expense without any real benefit to the public:

And the said report having been read, was concurred in.

Mr. Fletcher, from the committee on the affairs of Indianapolis to whom the subject had been referred, now reported,

A bill authorizing an additional sale of lots and blocks in the town of Indianapolis;

Which was read and ordered for second reading to-morrow.

Mr. Clark, from the select committee on the subject, now reported,

A bill to provide Five Asylums in the state for the reception of the poor.

Which bill was read, and ordered for second reading to-morrow.

Mr. Smiley obtained leave to introduce a bill to amend an act entitled an act, amendatory of the law, and for the better advancement of justice, approved, January 20th, 1826.

Which bill was read, and ordered for second reading to-morrow.

Mr. Maxwell, obtained leave to introduce a bill, to establish a Loan Office, for the state of Indiana.

Which bill was twice read by common consent, committed to a committee of the whole Senate, and made the order of the day for Tuesday next, the 25th inst., and,

Ordered, that one hundred copies of the said bill be printed for the use of the General Assembly.

Mr. Lane, obtained leave to introduce a bill to amend an act, entitled an act for the appointment of Constables and defining their duties, approved, January 22d, 1824.

And the said bill was read a first time, and ordered for second reading to-morrow.

Mr. Fletcher, obtained leave to introduce a bill authorizing the making and viewing a road from Newcastle, in Henry county, through the counties of Madison and Hamilton to La Fayette, in Tippecanoe county, also,

A road from Indianapolis by Eagle creek, to intersect the same:

Which bill was read, and ordered for second reading to-morrow.

Mr. Gregory, from the select committee to whom had been referred the petition of Ephraim Goss, and others, now reported,

A bill authorizing the county board of Justices of Morgan county, to contract with ferry owners, to ferry the citizens of said county on certain public days.

Which said bill was read, and ordered for second reading to-morrow.

The Senate now, according to order, resolved itself into committee of the whole, on the bill to provide for the government of the Seminary of Knox county;

Mr. Rariden in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate, had, according to order, had the said bill under consideration, and had instructed him to report the same to the Senate without amendment.

Mr. Montgomery, then moved that the further consideration of the said bill be indefinitely postponed:

Which motion after considerable discussion, was withdrawn: and previous to taking any order on said bill,

The Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill, supplemental to an act to provide for carrying the laws into effect in new counties, from the House of Representatives, was read a third time, and passed without amendment, and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill legalizing certain proceedings of the Associate Judges, in the several counties in this state, was read a third time, and on the question, shall this bill pass?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Cotton, Daniel, Lane, Maxwell, Milroy, Montgomery and Morgan—7.

And those who voted in the negative, were,
Messrs. Blair, Canby, Clark, Colman, Givens, Gregory, Rariden, Simonson, Smiley and Watts—10.

So it was decided in the negative.

The engrossed bill to amend an act to provide for the partition of real estate, approved, January 2d, 1824—was read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives, of the passage of said bill, and request their concurrence therein.

The engrossed bill to incorporate the Indianapolis Steam Mill Company, was read a third time, and on the question, shall this bill pass?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Rariden, Simonson, Smiley and Watts—19.

And Mr. Ewing voted in the negative.

So the said bill passed, and,

Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill in Senate, and request their concurrence therein.

The engrossed bill to amend the law regulating Grist Mills and Millers; and,

The engrossed bill to establish a state road from Levenworth in Crawford county, via Bono, to Indianapolis; were severally read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Representatives of the passage of said bills, and request their concurrence therein.

The engrossed bill, supplemental to the act, entitled an act regulating the admission and practice of Attornies and Counsellors at Law, approved, January 31st, 1824, from the House of Representatives, was read a third time and passed, without amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill making further provision for the sale of the Seminary townships of land in the counties of Gibson and Monroe, and for other purposes; and,

The engrossed bill to amend an act, entitled an act to regulate the Militia of the state of Indiana, approved, January 20, 1824; were severally read a third time and passed; and

Mr. Farnham was instructed to inform the House of Repre-

representatives of the passage of said bills, and request their concurrence therein.

Mr. Maxwell, moved that the Senate do now proceed to reconsider their vote of yesterday, postponing indefinitely the joint resolution respecting the office of the Clerk of the District Court of the United States, for the District of Indiana:

Which vote was now reconsidered, and the question again recurring, shall this bill be indefinitely postponed? It was decided in the negative.

The said resolution was then read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate again resumed the consideration of the bill for the government of the Seminary of Knox county; when,

Mr. Montgomery moved to strike out the 6th section of the said bill, which reads in the following words, to-wit:

"Sec. 6. The Auditor and Treasurer of State, are hereby authorized and required to investigate the claims of Claudius G. Brown, for money expended for repairs done to the Vincennes University, when it was under the direction of the Trustees thereof; and the Auditor shall audit, and the Treasurer shall pay, the amount which according to the principles of equity and justice may appear to be due to the said Brown, or his order, and the amount so audited and paid, shall be deducted from the proceeds of the sale of the state Seminary lands, in Gibson county, which was under the direction of the Trustees aforesaid, when said debt was contracted, so soon as said proceeds reach the Treasury, as provided for in the act authorizing the sale thereof."

And on the question, shall the said 6th section of the bill be stricken out? The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Lane, Maxwell, Milroy, Montgomery, Rariden, Simonson, Smiley and Watts—17.

And those who voted in the negative, were,

Messrs. Ewing, Gregory, Morgan and Oliver—4.

So it was decided in the affirmative,

And the said 6th section stricken out: and the bill as amended, ordered to be engrossed for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that.

The House of Representatives have passed bills of the following titles, viz:

An act supplementary to an act entitled "an act for the appointment of county Surveyors and their deputies, approved, January 30th, 1824;" and,

An act to amend an act entitled "an act respecting apprentices;" in which the concurrence of the Senate is requested.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President.

And the said two several bills from the House of Representatives were severally read a first time, and severally ordered for second reading to-morrow.

And the said enrolled bills, having been signed by the President of the Senate, were handed to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The bill to provide for the settlement of the accounts of the Commissioners of certain state roads;

The bill to amend an act, entitled an act to establish county Seminaries in the several counties therein named; and,

The bill providing for the improvement of the navigation of the White rivers;

Were severally read a second time, severally committed to committees of the whole Senate, and severally made the order of the day for to-morrow.

The engrossed bill to amend the act, entitled an act, relative to crimes and punishments; from the House of Representatives, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, DECEMBER 21, 1827.

The Senate assembled.

Mr. Graham, from the Committee of Ways and Means, to whom was referred a resolution relative to the assessing and collecting the revenue, now reported a bill to amend the several acts now in force, relative to assessing and collecting the revenue.

Which was read, and ordered for a second reading on to-morrow.

Mr. Rariden, from the Committee on the Judiciary, to whom the subject had been referred, now reported a bill for the benefit of Henry Markle.

Which was twice read, and committed for to-morrow.

Mr. Ewing, from the select committee, to whom had been committed the bill relative to crimes and punishments, now reported the same, with amendments.

Which were read, and ordered to lie on the table.

Mr. Fletcher, from the Committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act for the relief of Thomas Wyatt.

An act organizing the county of Hancock. And,

An act to provide for the purchase of stationery for the General Assembly, and also for the public printing.

And find the same truly enrolled.

Mr. Montgomery obtained leave to introduce a bill to suppress certain fraudulent practices; which was read, and ordered for a second reading to-morrow.

On motion by Mr. Simonson,

The joint resolution and communication of the General Assembly of the State of Indiana to the General Assembly of the State of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie, was taken up, and committed to the same committee of the whole Senate, to whom had been committed the Wabash Canal bill.

Mr. Ewing obtained leave to introduce a joint resolution of the General Assembly, relative to examining and surveying that part of the Wabash river, under the joint jurisdiction of Indiana and Illinois.

Which was read and ordered for a second reading to-morrow.

On motion by Mr. Smiley,

The bill organizing Probate Courts, and defining their powers and duties (being one of the unfinished bills of last session,) was now taken up and read; when, on motion by Mr. Morgan,

The further consideration of said bill was indefinitely postponed.

On motion by Mr. Ewing,

The bill to provide for the investigation of official conduct, and suspension from the exercise of official duty, (being one of the unfinished bills of last session,) was now taken up, read, and on motion by Mr. Graham, the said bill was rejected.

The bill authorizing an additional sale of lots and blocks in the town of Indianapolis, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to provide five asylums in the state, for the reception of the poor, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826, was read a second time, and ordered to be engrossed for a third reading to-morrow.

The bill to amend an act, entitled an act for the appointment of constables, and defining their duties, approved January 22, 1824, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill authorizing the county board of justices of Morgan county, to contract with ferry owners to ferry the citizens of said county, free, on certain public days, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill, to amend an act respecting apprentices, from the House of Representatives, was read a second time and ordered for a third reading to-morrow.

The engrossed bill, supplementary to an act entitled an act for the appointment of county surveyors and their deputies, approved, January 30, 1824, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill to provide for the government of the Seminary of Knox county, was read a third time; and,

On motion by Mr. Ewing,

The said bill was recommended to a select committee, to amend and report the same; and,

Messrs. Ewing, Gregory, and Colman, were appointed that committee.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill changing the time of holding elections for representatives to Congress—Mr. Simonson in the chair—when, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported—

That the committee of the whole Senate had, according to order, had the said bill under consideration, had made some

progress therein; but not having time to go through the whole of said bill had instructed him to report the same to the Senate, and request leave to sit again; and, on the question, Shall the committee of the whole Senate have leave to sit again on said bill? it was decided in the negative, and leave refused.

Mr. Rariden then moved, that the further consideration of the said bill be indefinitely postponed; which motion was decided in the negative.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Rariden again renewed his motion, "That the further consideration of the bill, changing the time of holding elections for representatives to Congress, be indefinitely postponed" and on the question, Shall the further consideration of the said bill be indefinitely postponed? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Cotton, Ewing, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—12.

And those who voted in the negative were,

Messrs. Blair, Clark, Colman, Daniel, Fletcher, Givens, Graham, Gregory and Lane—9.

So it was decided in the affirmative, and the said bill indefinitely postponed.

The Senate now, according to order, resolved itself into committee of the whole, on the bill to locate a road from Lake Michigan, by the way of Indianapolis to the Ohio river—Mr. Smiley in the chair—when, after some time spent thereon, the committee arose.

Mr. President resumed the chair, and Mr. Chairman reported, that the committee of the whole Senate had, according to order, had the said bill under consideration; had made sundry amendments thereto, in which he was instructed to request the concurrence of the Senate therein—and, previous to taking any order thereon,

The Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, DECEMBER 22, 1827.

The Senate assembled.

Mr. Watts laid before the Senate, the petition of John Spencer, collector of the state revenue for Dearborn county, pray-

ing further time for collecting and paying over the said revenue, for certain reasons therein set forth,

Which petition was read, and referred to a select committee, to report thereon:

And Messrs. Watts, Oliver and Cotton, were appointed that committee.

Mr. Lane, from the joint committee on enrolled bills, now reported, that,

They did on yesterday lay before the Governor for his approval and signature the following enrolled bills, and joint resolution, to-wit:

A joint resolution of the General Assembly, relative to purchasers of public lands.

An act for the relief of Thomas Wyatt.

An act to provide for the purchase of stationery for the use of General Assembly, and also for the public printing; and,

An act to organize the county of Hancock.

The bill to amend the several acts now in force relative to assessing and collecting the revenue; was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The bill to suppress certain fraudulent practices, was read a second time committed to a committee of the whole Senate, and made the order of the day for Monday next.

The joint resolution of the General Assembly relative to examining and surveying that part of the Wabash river, under the joint jurisdiction of Indiana and Illinois,

Was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The engrossed bill, to amend an act respecting apprentices; from the House of Representatives was read a third time, and,

On motion by Mr. Fletcher,

Recommitted to a committee of the whole Senate, and made the order of the day for this day. Now, whereupon:

The Senate according to order, resolved itself into a committee of the whole on the said bill;

Mr. Watts in the Chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate with sundry amendments:

Which were read and concurred in, and the bill further amended in sundry particulars, when,

Mr. Blair, moved an amendment to said bill, the object of which was to have the recognizances under said act, taken in

the name of the parent, guardian, or overseers of the poor, as the case may be.

Which amendment was not adopted; and the amendments were then ordered to be engrossed, and with the bill read a third time on Monday next.

The engrossed bill authorizing the making and viewing certain state roads; and,

The engrossed bill to amend an act, entitled an act amendatory of the law, and for the better advancement of justice; approved, January 20, 1826:

Were severally read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate again resumed the consideration of the bill to locate a road from Lake Michigan by the way of Indianapolis, to the Ohio river; and the question again recurring on concurrence in the first amendment made to said bill, in committee of the whole, which was by striking out the following section, to-wit:

"Sec. 1. Be it enacted by the General Assembly of the state of Indiana. That

be-appointed commissioners to survey, mark and locate a road from Lake Michigan by the way of Indianapolis to some convenient point on the Ohio river, agreeably to the late treaty with the Potawatamy Indians, and the act of Congress in confirmation thereof."

And inserting in lieu thereof the following, to-wit:

"Sec. 1 Be it enacted by the General Assembly of the state of Indiana, That John McDonald of Daviess county, Chester Elliott of Warrick county, and John J. Neely of Gibson county, be, and the same are hereby appointed a board of commissioners, to survey, mark and locate a road from Lake Michigan to Indianapolis; and that Elisha U. Brown of Vigo county, Benjamin V. Beckes of Knox county, and Joseph Lewis of Wayne county, be and the same are hereby appointed a board of commissioners to survey, mark and locate a road from Indianapolis to some convenient point on the Ohio river."

When, previous to taking the question on concurrence,

Mr. Ewing moved to amend the said amendment, by striking out the name of "Benjamin V. Beckes," and inserting in lieu thereof the name of "William Polke;"

And a division of the question being called for, and the question first put, shall the name of Benjamin V. Beckes, be stricken out?

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Colman, Ewing, Fletcher, Gregory, Montgomery, Morgan, Rariden, Simonson and Smiley—11.

And those who voted in the negative, were,

Messrs. Blair, Cotton, Daniel, Givens, Graham, Lane, Maxwell, Milroy, Oliver and Watts—10.

So it was decided that the name of Benjamin V. Beckes, be stricken out of said bill, and by unanimous consent of the Senate, the name of William Polke was ordered to be inserted in lieu thereof:

And the amendment made in committee of the whole, as amended, was then concurred in.

The Senate then proceeded to consider the second amendment, made in committee of the whole to said bill, which reads in the following words, after the word "Indianapolis, insert "and thence to Mount Vernon, in Posey county, on the Ohio river."

Thereby locating the point of termination of said road at Mount Vernon, on the Ohio river; when,

Mr. Graham moved to strike out all that part of said amendment, made in committee of the whole, after the word "thence," and insert in lieu thereof, the following, to-wit:

"To the most eligible point between Mount Vernon and the Falls of Ohio, both points inclusive;?"

And on the question, shall the said amendment as proposed by Mr. Graham, to the amendment made in committee of the whole, be adopted?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Daniel, Ewing, Givens, Graham, Lane, Maxwell, Milroy, Montgomery and Simonson—11.

And those who voted in the negative, were,

Messrs. Canby, Colman, Cotton, Fletcher, Gregory, Morgan, Oliver, Rariden, Smiley and Watts—10.

So the said amendment, to the amendment, made in committee of the whole was adopted:

And on the question, will the Senate concur in the amendment made to the said bill, in committee of the whole, as amended in Senate?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Daniel, Ewing, Givens, Graham, Lane, Maxwell, Milroy, Montgomery and Simonson—11.

And those who voted in the negative, were,

Messrs. Canby, Colman, Cotton, Fletcher, Gregory, Morgan, Oliver, Rariden, Smiley and Watts—10.

So it was decided in the affirmative.

And the said amendment as amended, concurred in.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate again resumed the consideration of the bill to locate a road from Lake Michigan by the way of Indianapolis to the Ohio river; when,

Mr. Rariden offered for adoption, the following resolution, to-wit:

Resolved, That this bill be referred to a select committee with instructions to amend the same, so as to cause the said road to be located on the nearest and best way from Indianapolis to Mount Vernon, on the Ohio river:

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Oliver and Rariden—2.

And those who voted in the negative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Simonson, Smiley and Watts—19.

So it was decided in the negative.

Mr. Morgan, then moved to recommit the bill to a select committee with instructions so to amend the bill that the Falls of the Ohio, be the point; when,

Mr. Watts moved so to amend the said instructions as to add after the word "Ohio," the words, "at Jeffersonville;" thereby fixing the termination of said road at Jeffersonville; when after some discussion on the said motion, it was withdrawn.

Mr. Morgan then moved the adoption of the following resolution, to-wit:

Resolved, That the bill under consideration be committed to a select committee with instructions so to amend the bill as to make New Albany, in Floyd county, the point of termination on the Ohio river;" when,

Mr. Montgomery moved to amend the said resolution, by striking out the words "New Albany," and insert in lieu thereof, the word, "Evansville:"

And on the question, shall the said resolution be so amended? The Senate voted unanimously in the negative.

And on the question, will the Senate adopt the original resolution, as offered by Mr. Morgan?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Blair, Canby, Clark, Colman, Cotton, Fletcher, Morgan, Oliver, Rariden, Smiley and Watts—11.

And those who voted in the negative, were,
Messrs. Daniel, Ewing, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery and Simonson—10.

So it was decided in the affirmative:

And the said bill, ordered to be committed to a select committee, with instructions to amend it as aforesaid; and,

Messrs. Morgan, Clark and Blair, were appointed that committee.

And the Senate adjourned to Monday morning nine o'clock.

MONDAY, DECEMBER 24, 1827.

The Senate assembled.

Mr. Fletcher, obtained leave to introduce a bill, for the formation of certain counties therein named.

Which was read, and ordered for second reading to-morrow.

Mr. Ewing, from the select committee to whom had been referred the engrossed bill to provide for the government of the Seminary of Knox county, now reported the same with sundry amendments in its details:

Which were read and concurred in; and the bill with the amendments, ordered to be engrossed for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that, they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act supplemental to an act, to provide for carrying the laws into effect in new counties.

An act, supplemental to the act, entitled an act regulating the admission and practice of Attorneys and Counsellors at Law, approved, January 31, 1824.

And also a joint resolution respecting the office of the Clerk of the District Court of the United States for the district of Indiana; and find the same truly enrolled.

The Governor, by Mr. John Wick, now informed the Senate, that he did on this day, approve and sign the following bills, entitled acts, which originated in the Senate, to-wit:

A joint resolution of the General Assembly relative to purchasers of the public lands.

An act to organize the county of Hancock: and,

An act to provide for the purchase of stationary for the use of the General Assembly, and also for the public printing.

Mr. Milroy, now called up the report of the Judiciary committee, on the subject of taxing certain lands, which reads in the following words, to-wit:

"The Judiciary committee to whom was referred the resolution of the Senate, relative to an inquiry into the propriety of taxing such lands within this state as are not yet cleared out of the Land Office, report, that, in their opinion, it is inexpedient to legislate on the subject."

And the same having been read,

Mr. Milroy moved, that the said report be rejected, when after some discussion on this subject, and before taking any question on rejecting the said report;

Mr. Rariden moved to amend the said report, by striking out from the word inexpedient the syllable "in," leaving the report to read that it is "expedient" to legislate on the subject.

And previous to taking any question on this motion,

Mr. Graham moved, that the Judiciary committee have leave to withdraw the said report;

Which was granted, and the said report withdrawn accordingly.

The President laid before the Senate the following communication from the Governor, to-wit:

EXECUTIVE DEPARTMENT,

December 24th, 1827.

HOB. JOHN H. THOMPSON,

President of the Senate:

SIR: Permit me to inform the Senate, through you, that the necessity of having a private Secretary, not being recognized by the Constitution, or any law of the country, I have not been convinced, that duty required me to make such an appointment. Since I have been in office, I have done all the business required of the Executive of Indiana, in person; and expect in future to pursue that course.

In reporting the approval of bills, or any other matter, the possession of the bill or other paper from me, may be considered as authorizing such individual to make that communication. When I approve of bills or joint resolutions, they are forthwith

filed in the Secretary's office, whose duty, I presume it will then be, to report them to the House in which they originated.

Respectfully, your ob't. serv't.

J. B. RAY

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed bills of the following titles, to-wit:

An act attaching a portion of vacant territory lying adjoining to the county of Floyd, to said county.

An act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state: and,

An act for the formation of the county of Carroll: in all of which the concurrence of the Senate is requested.

And the said three several bills were now severally read a first time in Senate, and severally ordered for second reading to-morrow.

Mr. Watts, from the select committee on the subject, now reported,

A bill for the relief of John Spencer, Collector of Dearborn county:

Which was read a first time, and ordered for second reading to-morrow.

The engrossed bill to amend an act entitled an act respecting apprentices, from the House of Representatives, as amended in Senate, was now read a third time, and passed; and,

Mr. Farnham was instructed to inform the House of Representatives, of the passage of said bill, with amendments; in which the concurrence of that House is requested.

The Senate, now, according to order, resolved itself into committee of the whole, on the bill to provide for the summit level section of the Wabash canal, and the examination of the Maumee river:

The bill to establish a Canal to connect the navigable waters of the Wabash river, with the navigable waters of the Miami of Lake Erie, from the House of Representatives, and,

The joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river, with those of Lake Erie; (all of which had been referred to one committee;) Mr. Canby in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole had, according to order, had the said two bills, and joint resolution, and communication, under consideration, had made some progress therein, but not having had time to go through the whole of said several bills and joint resolution, had instructed him to report the same to the Senate, and request leave to sit again thereon:

And by unanimous consent of the Senate, leave was granted the committee of the whole Senate to sit again on said bills and joint resolution.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate again, according to order, resolved itself into committee of the whole on the bill, to provide for the summit level section of the Wabash canal, and the examination of the Maumee river:

The engrossed bill from the House of Representatives to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie:

And the joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie;

Mr. Canby in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said several bills and joint resolution under consideration, had made an amendment to the first mentioned bill, which was by striking out the whole of said bill from the enacting clause, and inserting in lieu thereof the engrossed bill from the House of Representatives, to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie; and had instructed him to report the aforesaid joint resolution, without amendment.

And previous to taking the question on concurring in the amendment made to the said bill, in committee of the whole,

Mr. Ewing moved to amend the said amendment, by adding thereto the following section, as an additional section, to-wit:

"Section. The said commissioners to be appointed under this act, are hereby required to employ a practical Engineer, with such other persons as in their opinion may be necessary to

examine the obstructions, take levels and survey the Maumee river from Fort Wayne to that point which shall be deemed free of all obstructions to the Lake; and shall present to the ensuing Legislature, a succinct report of the result and the practicability of its improvement, together with estimates of the probable cost to render the channel sufficient to afford a certain steam boat navigation; also, their views of the relative advantage to arise from such improvement, and that of a Canal, that the mode most advisable may be adopted."

And on the question, shall the amendment made in committee of the whole be so amended?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,
Messrs. Canby, Clark, Colman, Daniel, Ewing, Fletcher, Lane, Milroy, Oliver, Simonson and Watts—11.

And those who voted in the negative, were,
Messrs. Cotton, Givens, Gregory, Montgomery, Morgan, Rariden and Smiley—7.

So it was decided in the affirmative,

And the amendment made to said bill in committee of the whole, as amended, was concurred in:

And the said bill as amended, ordered to be engrossed and read a third time on Wednesday next.

The joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie, was considered as engrossed, read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

And on motion to adjourn to Wednesday morning nine o'clock;

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Canby, Clark, Colman, Cotton, Daniel, Gregory, Milroy, Oliver and Simonson—9.

And those who voted in the negative, were,
Messrs. Ewing, Fletcher, Givens, Lane, Montgomery, Morgan, Rariden, Smiley and Watts—9.

So the Senate being equally divided, Mr. President decided in the affirmative.

And the Senate adjourned to nine o'clock on Wednesday morning the 26th inst.

WEDNESDAY, DECEMBER 26, 1827.

The Senate assembled.

Mr. Fletcher moved a reconsideration of the vote given on Monday last, adopting an additional section, as offered by Mr. Ewing, to the bill to provide for the summit level section of the Wabash Canal, and the examination of the Maumee river, and on ordering the said amendment to be engrossed for third reading this day—

When, after considerable discussion on this subject, and the question stated, Will the Senate reconsider their vote, ordering the said amendment to be engrossed for third reading this day? the ayes and noes having been demanded by two members, those who voted in the affirmative, were,

Messrs. Cotton, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Rariden, Simpsonson, and Smiley—12.

And those who voted in the negative were,

Messrs. Blair, Canby, Clark, Colman, Daniel, Ewing, Milroy, Oliver and Watts—9.

So the said vote was reconsidered, and the question again recurring, Shall the said amendment as offered by Mr. Ewing, be engrossed for third reading this day? it was decided in the negative—and the question again recurring, Shall the amendment as proposed by Mr. Ewing, on Monday, be adopted? it was decided in the negative.

Mr. Cotton then moved, that the bill as amended be engrossed for third reading on Friday next; and previous to taking any question thereon, Mr. Fletcher offered the following amendment, to-wit:

“And the said commissioners are empowered to obtain from the Secretary of State, copies of any maps or charts, or copies of any documents deposited in his office, relating to their duties.”

Which amendment was read and adopted.

Mr. Graham then moved to reconsider the vote given in Senate, concurring in the amendments made in committee of the whole, on said bill; which motion prevailed—and the question again recurring, Will the Senate concur in the amendments made in committee of the whole to said bill? it was decided in the negative, and concurrence refused.

On motion by Mr. Rariden,

The said bill was then recommitted to a committee of the whole Senate, and made the order of the day for this day, now, Whereupon, the Senate now, according to order, resolved

itself into committee of the whole on the bill to provide for the summit level section of the Wabash Canal and the examination of the Maumee river; and the bill to establish a canal to connect the navigable waters of the Wabash river with the navigable waters of Lake Erie, from the House of Representatives, Mr. Canby in the chair; when, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported—

That the committee of the whole Senate had, according to order, had the said bills under consideration, had made some progress therein, but not having time to go through the whole of the last mentioned bill, had instructed him to report the same to the Senate, and request leave to sit again:

And by unanimous consent of the Senate, leave was granted the committee of the whole Senate, to sit again on said bills.

And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate according to order, resolved itself into committee of the whole, on the bill to provide for the summit level section of the Wabash Canal, and the examination of the Maumee river; and,

The engrossed bill from the House of Representatives, to establish a Canal to connect the navigable waters of the Wabash river, with the navigable waters of Lake Erie;

Mr. Canby in the chair, when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said several bills under consideration, had made one amendment to the first mentioned bill, which was by striking the same out from the enacting clause:

And on the question, will the Senate concur in the amendment made in committee of the whole, to the first mentioned bill, which was by striking out the same from the enacting clause;

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson and Smiley—18.

And those who voted in the negative, were,

Messrs. Ewing, Gregory and Watt—3.

So the said amendment was adopted, and the further consideration of the bill was then indefinitely postponed.

The Senate then proceeded to consider the amendments made in committee of the whole, to the engrossed bill from the House of Representatives, to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of Lake Erie:

And the same having been again read were concurred in—and the said amendments ordered to be engrossed, and with the bill read a third time to-morrow.

On motion by Mr. Smiley,

The bill supplemental to an act entitled “an act changing the mode of doing county business in certain counties therein named, approved, January 26th, 1827,” was now taken up, committed to a committee of the whole Senate, and made the order of the day for this day, now:

Mr. Clark in the chair, when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate, with sundry amendments, which were read and concurred in, and ordered to be engrossed for third reading to-morrow.

Mr. Rariden, from the Judiciary committee to whom had been referred, the subject of dividing the state into seven Judicial circuits, and also, the subject of giving the Circuit Courts exclusive jurisdiction of probate business, and setting apart certain days at each term: now report, that,

On the first mentioned subject, it is, in the opinion of the committee, inexpedient to legislate;

And on the latter subject, he reported a bill to amend an act for the settlement of decedents' estates.

Which bill was read a first time, and ordered for second reading to-morrow.

Mr. Rariden, from the Judiciary committee to whom had been referred sundry resolutions, relative to the expediency of providing by law for the disposal of the surplus copies of the laws of the state of Indiana, and requiring Sheriffs and Justices of the Peace to deliver over to their successors, all copies of laws received by them in virtue of their office; also providing for the disposal of the dockets of Justices of the Peace, whose terms of service have expired, or may expire, leaving no successor; now reported,

A bill to amend the act entitled an act, regulating the juris-

diction and duties of Justices of the Peace, approved, January 20th, 1824;

Which was read a first time, and ordered for second reading to-morrow.

Mr. Milroy, obtained leave to introduce a bill to repeal part of the act entitled an act, regulating the jurisdiction of Justices of the Peace:

Which was read and ordered for second reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed the bill from the Senate, entitled,

"An act to establish a levee, to preserve the road leading from Vincennes through the Lower Prairie, near to the Wabash river," with an amendment.

They have passed bills of the following titles, viz:

An act for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees of Congressional township No. 3, south, and Range No. 4, east, in the Jeffersonville district; and,

An act for the relief of Caleb Harrison: in which amendment to the first named bill, and the two last named bills, the concurrence of the Senate is requested.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Senate then proceeded to consider the amendments made by the House of Representatives to the bill from the Senate, entitled,

An act to establish a levee to preserve the road leading from Vincennes through the Lower Prairie, near the Wabash river; and previous to taking any order thereon,

Mr. Ewing moved to amend the amendment made by the House of Representatives to the said bill, by striking out the words "Western Sun," and inserting in lieu thereof, the words "some newspaper, if any such there be;"

Which amendment was adopted; and the amendment made by the House of Representatives, as amended in Senate, was concurred in; and,

Mr. Farnham was instructed to inform the House of Representatives of the amendment made in Senate, to their amendment made to the said bill, and request their concurrence therein.

The entitled bills reported from the House of Repre's, as having been signed by the Speaker of that House, were now signed by the President of the Senate, and handed to the com-

mittee on enrolled bills, to be laid before the Governor, for his approval and signature.

The engrossed bill for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees of Congressional township No. 3, south, and Range No. 4, east, in the Jeffersonville district;

The engrossed bill for the relief of Caleb Harrison; and,

The joint resolution relative to the navigation of the Miami of Lake Erie, from the House of Representatives, were severally read a first time, and severally ordered for second reading to-morrow.

The engrossed bill attaching a portion of vacant territory lying adjoining to the county of Floyd, to said county, from the House of Representatives, was read a second time, and ordered for third reading to-morrow.

The engrossed bill for the relief of purchasers of lots in the town of Indianapolis, which have been forfeited to the state, from the House of Representatives, was read a second time, and laid on the table.

The bill for the relief of John Spencer, Collector of Dearborn county, was read a second time and laid on the table.

The bill for the formation of certain counties therein named, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill for the formation of the county of Carroll, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill to provide for the government of the Seminary of Knox county, was read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate now, according to order, resolved itself into committee of the whole Senate, on the bill to revive an act, entitled an act, for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed 7th September, 1814; Mr. Colman in the chair:

When after some time spent thereon the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate, with an amendment, which was read and concurred in, and the amendment ordered to be engrossed, and with the bill, read a third time to-morrow.

On motion by Mr. Fletcher,

The Senate resolved itself into committee of the whole Sen-

ate, on the engrossed bill from the House of Representatives, for the formation of the county of Carroll; Mr. Blair in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate with sundry amendments, which were read and concurred in; and previous to taking any further order on said bill,

Mr. Clark moved that the Senate do now adjourn until Friday morning nine o'clock;

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Colman, Daniel, Graham, Lane and Milroy—6.

And those who voted in the negative, were,

Messrs. Blair, Cotton, Fletcher, Givens, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—13.

So it was decided in the negative.

And on motion, the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, DECEMBER 27, 1827.

The Senate assembled.

Mr. Ewing now moved to spread upon the Journals of the Senate at full length,

"The bill to provide for the summit level section of the Wabash Canal, and the examination of the Maumee river,"

Which had yesterday been amended in committee of the whole Senate, by striking the same out from the enacting clause; and the amendment made in committee of the whole concurred in by the Senate; after which, the further consideration of the said bill was indefinitely postponed.

And on the question, shall the said bill be spread upon the Journals of the Senate?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Ewing, Graham, Gregory, Milroy, Oliver, Smiley and Watts—10.

And those who voted in the negative, were,
Messrs. Clark, Cotton, Daniel, Fletcher, Givens, Lane, Maxwell, Montgomery, Morgan, Rariden and Simonson—11.

So it was decided in the negative, and leave to spread the said bill on the Journals refused.

Mr. Morgan, from the select committee to whom had been committed the bill to locate a road from Lake Michigan by the way of Indianapolis to the Ohio river, with instructions, so to amend the said bill, as to make New Albany, in Floyd county, the point of termination on the Ohio river; now reported the said bill as amended.

Which report was read, and previous to taking any order thereon,

The Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, DECEMBER 28, 1827.

The Senate assembled.

Mr. Rariden laid before the Senate the petition of George Hunt and others, formerly officers of the 8th Regiment, Indiana Militia, praying redress of certain grievances sustained by a part of said Regiment, during the late war with Great Britain.

Which was read and referred to the committee on Military Affairs to report thereon.

Mr. Gregory laid before the Senate the petition of Henry Glen and others, inhabitants of Johnson and Morgan counties, praying certain alterations in the boundaries of said counties:

Which was read and referred to a select committee composed of Messrs. Gregory, Fletcher and Graham, to report thereon.

Mr. Gregory also laid before the Senate the remonstrance of Jonathan Williams and others, inhabitants of Johnson county, against any alteration in the boundaries of said county:

Which was read and referred to the same select committee, to whom the petition last above named was referred.

Mr. Fletcher obtained leave to introduce a bill to regulate the licensure of physicians, and for the promotion of Medical Science.

Which bill was read, and ordered for second reading to-morrow.

Mr. Milroy offered for consideration and adoption the following resolution, to-wit:

Resolved, That the Judiciary committee be instructed to report a bill amendatory of the present revenue laws, which bill shall exempt from listing or tax all lands held by certificate, or a part of the purchase money on said land is yet due the United States: when,

Mr. Graham moved to amend the said resolution by striking out the same after the word *Resolved*, and inserting the following in lieu thereof, to-wit:

"That if any assessor shall wilfully neglect or refuse to assess any land within his district, which is or may have been entered five years, (and which has not been relinquished or forfeited to the United States,) every assessor so neglecting or refusing shall for every such offence be fined any sum not less than fifty dollars, to be recovered by presentment or indictment in the Circuit Court in his proper county, and the fine so collected shall be applied to the use of the county Seminary."

And on the question, shall the resolution as offered by Mr. Milroy be so amended?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Montgomery, Morgan, Rariden, Simonson and Smiley—17.

And those who voted in the negative, were,

Messrs. Maxwell, Milroy and Watts—3.

So the said amendment was adopted, and the resolution as amended laid on the table.

The bill for the formation of the county of Carroll, was taken up, the amendments made in committee of the whole concurred in, when,

Mr. Blair proposed a further amendment, which was to attach the said county of Carroll to Tippecanoe county, for judicial purposes, until otherwise provided for by law;

And the said amendment having been adopted, the amendments were ordered to be engrossed and with the bill to be read a third time to-morrow.

The bill to locate a road from Lake Michigan by the way of Indianapolis to the Ohio river, was now taken up, when,

Mr. Graham moved to concur in the report of the select committee, making New Albany the point where the said road should terminate on the Ohio river; and previous to taking any question on this motion,

Mr. Ewing moved the adoption of the following resolution, to-wit:

Resolved, That the said report be re-committed to a select committee with instructions to report a bill authorizing the commissioners on that end of the road leading hence to the Ohio river, to exercise their best judgment in selecting a route and a point to terminate the said road, which they may deem the most eligible and advantageous, at or between Mount Vernon in Posey county, and Leavenworth in Crawford county;

And on the question, shall this resolution be adopted? The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Daniel, Ewing, Givens, Maxwell, Milroy and Montgomery—6.

And those who voted in the negative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Fletcher, Graham, Gregory, Lane, Morgan, Rariden, Simonson, Smiley and Watts—14.

So it was decided in the negative.

And on the question, will the Senate concur in the report of the select committee on said bill, making New Albany the point of termination of said road?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Cotton, Daniel, Fletcher, Lane, Morgan and Simonson—3.

And those who voted in the negative, were,

Messrs. Canby, Colman, Ewing, Givens, Graham, Gregory, Maxwell, Milroy, Montgomery, Rariden, Smiley and Watts—12.

So it was decided in the negative, and the report not concurred in.

Mr. Rariden then moved that the bill be referred to a select committee with instructions to report a bill providing for the location of said road from Indianapolis to some point on the Ohio river, on a point between Lawrenceburgh and Jeffersonville, the two latter points inclusive; upon which,

Messrs. Clark, Givens and Simonson called for the previous question, and before any question was put on this call,

Mr. Morgan moved to lay the said bill on the table, and on this question,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Fletcher, Gregory, Morgan, Oliver, Rariden, Smiley and Watts—11.

And those who voted in the negative, were,

Messrs. Clark, Daniel, Ewing, Givens, Graham, Lane, Max-

well, Milroy, Montgomery and Simonson—10. So it was decided in the affirmative, and the said bill laid on the table.

The bill to amend the act for the settlement of decedents estates, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to amend the act entitled an act regulating the jurisdiction and duties of Justices of the Peace; and,

The bill repealing part of the act relative to the jurisdiction and duties of Justices of the Peace;

Were severally read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives, for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees of Congressional township, No. 3, south, and Range No. 4, east, in the Jeffersonville district; and,

The engrossed bill from the House of Representatives, for the relief of Caleb Harrison;

Were severally read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The joint resolution from the House of Representatives, relative to the navigation of the Miami of Lake Erie, was read a second time and laid on the table.

The engrossed bill to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie, from the House of Representatives, as amended in Senate, was read a third time and passed by a unanimous vote of the Senate: and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill from the House of Representatives supplemental to an act, entitled an act, changing the mode of doing county business, in certain counties therein named, approved, January 26; 1827, from the House of Representatives, as amended in Senate; and,

The engrossed bill from the House of Representatives, attaching a portion of vacant territory lying adjoining to the county of Floyd, to said county, were severally read a third time and passed without amendment, and,

Mr. Farnham was instructed to inform the House of Representatives, thereof, and request their concurrence in the amendments made to the first mentioned bill.

The engrossed bill from the House of Representatives to revive an act, entitled an act, for the relief of such persons as

have suffered or may suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed 7th September, 1814, as amended in Senate, was read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, and request their concurrence to said amendment.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed bills of the following titles, viz:

An act making an appropriation for the completion of the house for the Executive of State, and for other purposes:

An act to locate and open a road from Crawfordsville in Montgomery county to Indianapolis:

An act to incorporate the Montezuma Agricultural and Domestic Manufacturing Association:

An act relative to the Knox county Poor House: And,

An act respecting the state and county revenue, due from the county of Clay, for the year 1826;

In all of which several bills the concurrence of the Senate is requested.

They disagree to the amendment made by the Senate to the amendment made by the House of Representatives, to the bill of the Senate, "To establish a levee to preserve the road leading from Vincennes through the Lower Prairie, near to the Wabash river."

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill from the House of Representatives making an appropriation for the completion of the House for the Executive of the State, and for other purposes;

The engrossed bill to locate and open a state road from Crawfordsville in Montgomery county, to Indianapolis, from the House of Representatives;

The engrossed bill from the House of Representatives, to incorporate the Montezuma Agricultural and Domestic Manufacturing Association;

The engrossed bill from the House of Representatives, relative to the Knox county Poor House; and,

The engrossed bill from the House of Representatives, re-

specting the state and county revenue due from the county of Clay, for the year 1826,

Were severally read a first time in Senate, and severally ordered for second reading to-morrow.

The Senate now proceeded to consider the objection made by the House of Representatives to the engrossed bill of the Senate, "To establish a levee to preserve the road leading from Vincennes through the Lower Prairie, near the Wabash river;" when,

Mr. Montgomery moved to recede from said amendment, which amendment was by striking out the words, "Western Sun," and inserting in lieu thereof, the words, "some newspaper, if any such there be," which motion was decided in the negative;

Mr. Ewing then moved to insist on the amendment made in Senate, to the amendment made by the House of Representatives, to the aforesaid bill, which motion prevailed;

Mr. Ewing then moved that a committee of free conference be appointed on the part of the Senate, to confer with a similar committee to be appointed on the part of the House of Representatives, on the subject matter of disagreement between the two Houses, relative to said bill, and,

Messrs. Ewing and Simonson were appointed that committee on the part of the Senate:

And it is ordered, that the House of Representatives be informed thereof, and a similar committee on their part requested.

And on motion, the Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, DECEMBER 29, 1827.

The Senate assembled.

Mr. Gregory, now gave notice to the Senate, that he would on Monday the 31st inst. move to amend the 24th rule of the standing rules of the Senate.

Mr. Lane, from the joint committee on enrolled bills, now reported, that they did on the 27th, present to the Governor for his approval and signature, the following enrolled bills, entitled acts, to-wit:

An act supplemental to an act to provide for carrying the laws into effect in new counties.

An act supplemental to the act, entitled an act regulating the admission and practice of Attorneys and Counsellors at Law, approved, January 31st, 1824; and,

A joint resolution respecting the office of the Clerk of the District Court of the United States for the district of Indiana.

Mr. Milroy, from the standing committee on the affairs of the State Prison, now made a detailed report of the situation of that establishment, which was read, and,

On motion by Mr. Graham,

The said report was committed to a committee of the whole Senate, and made the order of the day for Monday 31st inst.

On motion by Mr. Ewing,

The bill for the encouragement of Manufactures, was taken up, committed to a committee of the whole Senate, and made the order of the day for Monday next.

Mr. Graham, obtained leave to introduce a bill to prevent the sale of spiritous liquors to the Indians; which was read, when,

Mr. Gregory moved to reject the said bill, and on the question, shall this bill be rejected?

It was decided in the negative, and the said bill was ordered for second reading on Monday next.

The bill to regulate the licensure of Physicians and for the promotion of Medical Science, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The engrossed bill from the House of Representatives, making an appropriation for the completion of the house for the Executive of the state and for other purposes:

The engrossed bill from the House of Representatives, to locate and open a state road from Crawfordsville in Montgomery county, to Indianapolis;

The engrossed bill from the House of Representatives, to incorporate the Montezuma Agricultural and Manufacturing Association;

Were severally read a second time, severally committed to committees of the whole Senate, and made the several orders of the day for Monday next.

The engrossed bill from the House of Representatives, relative to the Knox county Poor House,

Was read a second time, and ordered for third reading on Monday next.

The engrossed bill respecting the state and county revenues

due from the county of Clay, for the year 1826, from the House of Representatives, was read a second time, and ordered for third reading on Monday next.

The engrossed bill from the House of Representatives, for the formation of the county of Carroll, as amended in Senate, was read a third time; when,

Mr. Morgan moved to recommit the bill to a committee of the whole Senate, and make it the order of the day for Monday next:

Which motion did not prevail; and on the question, shall this bill pass?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy and Montgomery—14.

And those who voted in the negative, were,

Messrs. Clark, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—7.

So it was decided in the affirmative; and the said bill passed, and,

Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill with amendments, in which their concurrence is requested.

And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

On motion by Mr. Graham,

The committee of the whole Senate was discharged from the further consideration of the joint resolution from the House of Representatives, relative to the navigation of the Wabash river;

And the same was committed to the same committee of the whole Senate, to which was committed the joint resolution of the General Assembly, relative to examining and surveying that part of the Wabash river, under the joint jurisdiction of Indiana and Illinois.

The Senate according to order, resolved itself into committee of the whole, on the joint resolution relative to the northern boundary of the state of Indiana, Mr. Daniel in the chair; when, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman report-

ed, the said resolution to the Senate without amendment; and the said resolution was ordered to be laid on the table.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed bills of the following titles, viz:

An act to amend an act entitled an act, for the benefit of such persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court House at Lawrenceburgh, on the morning of the 6th of March 1826, approved, January 11, 1827;

An act for the benefit of the Gibson county Seminary; and,

An act relative to limited partnerships.

They concur in the 1st and 2d amendment proposed by the Senate to the bill of the House of Representatives, "to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie;" but disagree to the 3d amendment made by the Senate to said bill.

They agree to the amendment made by the Senate to the bill of the House of Representatives, "to revive an act entitled an act for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed the 7th September, 1814," with an amendment.

They concur in the 2d and 3d amendments made by the Senate to the bill of the House of Representatives, "supplemental to an act entitled an act changing the mode of doing county business in certain counties therein named;" and they agree to the 1st amendment made by the Senate to said bill, with an amendment: in all of which three first named bills, and the amendments proposed to the amendments, made by the Senate to the two last mentioned bills, the concurrence of the Senate is requested.

They insist on their disagreement to the amendment made by the Senate to the amendment made by them to the bill of the Senate, "to establish a levee to preserve the road leading from Vincennes through the Lower Prairie, near the Wabash river;" and request a joint committee of free conference be appointed to take into consideration the subject matter of difference between the two Houses relative to the same; and they, on their part have appointed Messrs. Judah and Huntington, such committee.

The engrossed bill from the House of Representatives, to amend an act entitled an act, for the benefit of such persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court house, at Lawrenceburgh, on the morning of the 6th of March, 1826, approved, January 11, 1827;

The engrossed bill from the House of Representatives, for the benefit of the Gibson county Seminary; and,

The engrossed bill from the House of Representatives, relative to limited partnerships, were severally read a first time, now in Senate, and severally ordered for second reading on Monday next.

The Senate now proceeded to consider the objection made by the House of Representatives to the 3d amendment made in Senate, to the engrossed bill from the House of Representatives, to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie; and on motion, the third amendment made in Senate, to the said bill was receded from; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendment made by the House of Representatives to the amendment made in Senate, to the engrossed bill from the House of Representatives, supplemental to an act entitled an act changing the mode of doing county business in certain counties therein named; and the same having been read and considered, was concurred in; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendment made by the House of Representatives to the amendment made in Senate, to the engrossed bill from the House of Representatives, entitled an act to revive an act, entitled an act for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed, 7th September, 1814;

And on the question, will the Senate concur in this amendment? It was decided in the negative.

So the Senate refused to concur in said amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

And the Senate adjourned to Monday morning nine o'clock.

MONDAY, DECEMBER 31, 1827.

The Senate assembled.

Mr. Milroy from the standing committee on the affairs of the State Prison, now made an additional report, relative to the situation of that establishment;

Which was read and committed to the same committee of the whole Senate, to which the former report had been committed.

Mr. Oliver, laid before the Senate the petition of William Rogers, and the petition of Rogers and Clingman, praying the incorporation of two several Cotton Manufactories in the county of Franklin:

Which petitions were read, and referred to a select committee to report thereon; and,

Messrs. Oliver, Watts and Smiley were appointed that committee.

Mr. Fletcher, from the select committee on the affairs of the public Library, now reported, that,

They have performed the duties assigned them, and find on inspection that certain laws of our sister states, and of the laws and ordinances of the territory of Indiana, and the laws and journals of this state, are wanting to make up complete sets, and there are also wanting in the Library several numbers of the laws, journals and state papers of the Congress of the United States; for remedy whereof, the committee now ask leave to report, a bill to amend an act entitled an act to establish a state Library, approved, February 11th, 1825; and a joint resolution relative to the procuring of a complete set of the journals of Congress;

Which bill and joint resolution were now severally read in Senate, and severally ordered for second reading to-morrow.

Mr. Ewing, obtained leave to introduce a joint resolution of the General Assembly to solicit aid of Congress to improve the Great Western Mail route, from Louisville to St. Louis;

Which resolution was read twice, and ordered to be engrossed for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills now reported, that they have compared the following engrossed with the enrolled bills, entitled acts, to-wit:

“An act attaching a portion of vacant territory lying adjoining to the county of Floyd to said county;” and,

"An act to amend an act entitled an act respecting apprentices;" and find the same correctly enrolled.

Mr. Gregory, pursuant to notice given in Senate on Saturday, now moved to strike out from the rules of the Senate, the 24th rule, which reads as follows, to-wit: "24. The previous question shall be in this form, 'shall the main question be now put?' It shall only be admitted when demanded by three members, and until it is decided, shall preclude all amendment and further debate on the main question;"

And to insert in lieu thereof the following as the 24th rule, to-wit:

"24. The previous question shall be in this form, 'shall the main question be now put?' it shall only be admitted when demanded by a majority of the members present, and until it is decided shall preclude all amendment, and further debate of the main question."

And on the question, shall the said 24th rule be so amended?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Ewing, Gregory, Morgan, Oliver, Rariden, Smiley and Watts—8.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Lane, Maxwell, Milroy, Montgomery and Simonson—13.

So it was decided in the negative, and the said amendment refused.

Mr. Cotton moved to take up the bill to locate a road from Lake Michigan by the way of Indianapolis to the Ohio river; and the same having been taken up and amended in various particulars, was recommitted to a select committee, with instructions so to amend the said bill as to make its various parts correspond with the amendments now made in Senate, the principal of which amendments were by striking out so much of said bill as provides for a view or survey of that part of the road from Indianapolis to the Ohio river, and that part which authorized a permanent location of said road from Lake Michigan to Indianapolis; and confining the commissioners to a view, survey and report.

Mr. Simonson from the committee of free conference appointed to confer with a similar committee on the part of the House of Representatives, relative to the disagreement between the two Houses, on the amendment made in Senate, to the amendment made by the House of Representatives, to the bill, entitled "an act to establish a levee to preserve the road leading

from Vincennes through the Lower Prairie, near to the Wabash river," now reported, that,

The joint committee of free conference have agreed that, that part of the bill upon which the two Houses have differed shall read as follows, to-wit: "in some public newspaper, if any such there be published in the town of Vincennes; and also, by manuscript advertisements set up in three of the most public places in the township."

And the said report having been read, was concurred in; and,

Mr. Farnham was instructed to inform the House of Representatives of the concurrence of the Senate in said report.

Mr. Cotton, obtained leave to introduce a bill to provide for holding a Chancery and Probate term of the Circuit Courts in this state;

Which was read twice by consent, and committed to the same committee of the whole Senate, to which had been committed a bill on the same subject.

On motion by Mr. Watts,

The bill for the relief of John Spencer, Collector of Dearborn county, was taken up, ordered to be considered as engrossed, and read a third time to-morrow.

The engrossed bill from the House of Representatives for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to prevent the sale of spiritous liquors to the Indians, was read a second time, and laid on the table.

The engrossed bill from the House of Representatives, relative to limited partnerships, was read a second time, when,

Mr. Clark moved to postpone indefinitely the further consideration of the said bill; and,

On the question, shall the further consideration of this bill be indefinitely postponed? It was decided in the negative.

The said bill was then committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives for the benefit of the Gibson county Seminary, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives, to amend an act, entitled an act, for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court House at Lawrenceburgh, on the morning of the 6th of March,

1826, approved, January 11th, 1827, was twice read by common consent, and passed without amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The President laid before the Senate the following communication from the Governor, to-wit:

EXECUTIVE DEPARTMENT,
Indianapolis, Ind. Dec. 31st, 1827.

HON. JOHN H. THOMPSON,

SIR: Permit me to remind the Senate, through you, that the office of the Agent of State, for the town of Indianapolis, will be vacant on the 24th of January next. If your body should adjourn before that time, it will be for the Executive to make an appointment, until the next meeting of the General Assembly; unless by a law or joint resolution, you should determine to elect that officer at an earlier day than the expiration of his term.

Respectfully, your ob't. serv't.

J. BROWN RAY.

Which was read, and no order taken thereon.

The engrossed bill from the House of Representatives relative to the Knox county Poor House; and,

The engrossed bill from the House of Representatives, respecting the state and county revenue due from the county of Clay, for the year 1826, were severally read a third time, and passed without amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate now according to order, resolved itself into committee of the whole, on the engrossed bill from the House of Representatives, directing the mode of suing out and prosecuting writs of habeas corpus;

Mr. Ewing in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had, according to order, had the said bill under consideration, had made some progress therein, but not having time to go through the whole of

said bill, had instructed him to report the same and request leave to sit again;

Which leave was granted by unanimous vote of the Senate.
And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate according to order, again resolved itself into committee of the whole, on the engrossed bill from the House of Representatives, directing the mode of suing out and prosecuting writs of habeas corpus;

Mr. Ewing in the chair; when after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported, that,

The committee of the whole Senate had taken the said bill under consideration, had made some progress therein, but not having time to go through the bill, had instructed him to report the same to the Senate, and request leave to sit again:

And upon the question, shall the committee of the whole have leave to sit again upon said bill? It was decided in the negative.

Mr. Ewing then offered the following amendment to the section of the said bill, to-wit: "provided that nothing herein contained shall affect the proceedings authorized by the United States, in regard to fugitives from labor fleeing from any other state or interfere with the enactments in any such case;" when,

Mr. Fletcher moved to amend the said amendment, by adding thereto, after the words "fugitives from labor," the following words, to-wit: "and all persons who may be restrained or confined by a bail peace from a sister state, shall have all the rights and privileges which this act gives and extends to persons charged with offences, and the Judge, or Circuit Court shall discharge or permit such person to be removed according to the legal right and justice of the case."

And on the question, shall this amendment to the amendment offered by Mr. Ewing be adopted? It was decided in the affirmative.

The question was then stated, shall the amendment offered by Mr. Ewing, as amended by Mr. Fletcher be adopted?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Ewing, Fletcher, Givens, Gregory, Maxwell and Milroy—7.

And those who voted in the negative, were,
Messrs. Blair, Canby, Colman, Cotton, Daniel, Graham,
Lane, Montgomery, Morgan, Oliver, Rariden, Simonson, Smi-
ley and Watts—14.

So it was decided in the negative, and the said amendment
as amended, rejected.

Mr. Rariden then moved that the further consideration of
the said bill be indefinitely postponed?

And on this question, the ayes and noes being demanded by
two members,

Those who voted in the affirmative, were,
Messrs. Canby, Clark, Cotton, Daniel, Fletcher, Gregory,
Montgomery, Morgan, Rariden, Smiley and Watts—11.

And those who voted in the negative, were,
Messrs. Blair, Colman, Ewing, Givens, Graham, Lane, Milroy,
Oliver and Simonson—9.

So it was decided in the affirmative; and the further consid-
eration of the said bill indefinitely postponed.

Mr. Thornton, Clerk of the House of Representatives, now
informed the Senate, that,

The House of Representatives have passed a bill, entitled
“an act authorizing the leasing of Royse’s Lick and Rock Lick
Reserves, in the county of Washington,” in which they ask the
concurrence of the Senate.

They agree to the 2d and 3d amendments proposed by the
Senate to the bill of the House of Representatives, “for the
formation of the county of Carroll;” but refuse to concur in
the 1st and 4th amendments made by the Senate to said bill.

They concur in the report of the joint committee of free
conference on the subject of the disagreeing votes of the
two Houses, relative to the amendment proposed by the House
of Representatives to the bill of the Senate, “to establish a
levee to preserve the road leading from Vincennes through the
Lower Prairie near the Wabash river.”

They insist on the amendment proposed by them to the a-
mendment made by the Senate to the bill of the House of Rep-
resentatives, entitled an act, to revive an act, entitled an act,
for the relief of such persons as have suffered or may hereaf-
ter suffer by the destruction of the records of the county of
Knox, which were consumed by fire at Vincennes, in the year
1814, passed 7th September, 1814.

The bill from the House of Representatives authorizing the
leasing of Royse’s Lick and Rock Lick Reserves, in the county
of Washington, was read a first time, and ordered for second
reading to-morrow.

The Senate then proceeded to consider the amendments made in Senate, to the engrossed bill from the House of Representatives, for the formation of the county of Carroll, and disagreed to by the House of Representatives; when,

Mr. Cotton moved that the said amendments made in Senate and disagreed to by the House of Representatives, be receded from; which motion was decided in the affirmative, and the said 1st and 4th amendments receded from; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendment made by the House of Representatives, and insisted on by them, to the amendment made in Senate, to the bill from the House of Representatives, entitled an act, to revive an act, entitled an act, for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in September, 1814, passed 7th September, 1814; and have on their part appointed Messrs. Colman and Ewing, a committee of free conference to confer with a similar committee to be appointed on the part of the House of Representatives, relative to the subject matter of disagreement between the two Houses on said bill; and,

Mr. Farnham was instructed to inform the House of Representatives, and to request on their part a similar committee.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, JANUARY 1, 1823.

The Senate assembled.

Mr. Graham, from the select committee, to whom had been committed the bill to locate a road from Lake Michigan, by the way of Indianapolis, to the Ohio river, with instructions so to amend the same as to make the title and various parts of said bill correspond with the several amendments, which it has undergone since its introduction, now reported—

A bill to provide for surveying and marking a road from Lake Michigan to Indianapolis, which report was read and concurred in by the Senate, and the said bill was ordered to be considered as engrossed, and read a third time now; and the said bill was read a third time, and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

Mr. Lane obtained leave to introduce a bill to amend the act, entitled an act to provide for the election of electors of President and Vice President of the United States;

Which was read, and ordered for second reading to-morrow.

Mr. Ewing offered for consideration and adoption, the following preamble and resolution, to-wit:

Whereas the wise framers of our constitution, seem to have adopted many of its wholesome provisions, under a firm conviction that the people's representatives should have full power to protect themselves from being injured, and their Journals from being polluted by unworthy matter, as well as their constituents from every species of wrong: and whereas, it is conscientiously believed, that the man who would exult in, or take advantage of the effects of an incendiary, upon this floor, or elsewhere, whether by false surmises to produce trouble unnecessarily, in suing out a bail piece, or unmanly attempts to cover fraud by legal finesse, can be viewed as no better than the incendiary, whose act he may avail of: and whereas, no fraudulent pretences, or plausible fabrications, whether legal or otherwise, should in any case, save an attorney at law, or other officer, from merited punishment and disgrace, who would attempt, under the unlimited privilege of the writ of habeas corpus, issued and acted upon by one associate judge, or any common writ or proceeding whatsoever, to do and commit wilful or glaring wrong, or by falsehood, or common law pretexts, not only to leave the injured party without redress, but to take advantage of technicalities, and thus extend its unmerited effects unjustly: Therefore,

Resolved, That a select committee be appointed to inquire into all such causes of complaint, with instructions to investigate the effect of the discretionary power now exercised by judges; the usual practice of a certain description of attorneys, allowed to practice law, where discretionary power may be called upon to aid their practice; the mode most effectual to guard community at large against legal knavery of every description, and against the unfounded pretences usually resorted to as a cover for it; and said committee shall have power to send for persons and papers, and report to this House by bill or otherwise.

And the said preamble and resolution having been read—on the question, Shall this resolution be adopted?

Mr. Ewing voted in the affirmative.

And those who voted in the negative, were,
Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher,
Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery,
Morgan, Rariden, Simonson, Smiley and Watts—19.

So it was decided in the negative.

Mr. Clark offered for consideration and adoption, the following resolution, to-wit:-

Resolved, That a select committee be appointed to inquire into the expediency of establishing *four* seminaries of learning; one in the county of Wayne, one in the county of Washington, one in the county of Knox, and one in the county of Marion: each of which seminaries to be entitled to receive an equal amount of the funds raised from the sales of the seminary lands, lying in the counties of Gibson and Monroe; with leave to report by bill or otherwise.

And the said resolution was amended, on motion by Mr. Givens, by inserting "Posey county;"

On motion by Mr. Graham, by inserting "Bartholomew county;"

On motion by Mr. Watts, by inserting "Dearborn county;"

And on motion by Mr. Morgan, by inserting "one in the Miami reserve;"

Thereby constituting eight seminaries of learning—and on the question, Shall this resolution be adopted? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Clark, Ewing, and Givens—3.

And those who voted in the negative, were,
Messrs. Blair, Canby, Colman, Cotton, Daniel, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Simonson, Smiley and Watts—15.

So the said resolution was not adopted.

The bill to amend an act, entitled an act to establish a state library, approved February 11, 1825; was read a second time, and ordered to be engrossed for third reading to-morrow.

The joint resolution relative to the procuring of a complete set of the Journals of Congress, and other public documents; was read a second time, and ordered to be engrossed for third reading to-morrow.

The engrossed bill from the House of Representatives, authorizing the leasing of Royse's Lick and Rock Lick reserves, in the county of Washington; was read a second time, and ordered for third reading to-morrow.

The engrossed joint resolution of the General Assembly of the State of Indiana, to solicit of the United States to afford aid to

repair and improve the great western mail route, leading from Louisville, on the Ohio, via New Albany and Vincennes, to St. Louis, on the Mississippi; was read a third time, when,

Mr. Graham moved,

That the said joint resolution be recommitted to a select committee, with instructions to amend said resolution so as to request an appropriation out of the treasury of the United States, to improve said road;

When, after some debate on this subject, Mr. Canby offered the following amendment to the said instructions offered by Mr. Graham, to-wit:

And also for the improvement of the post road from Cincinnati, via Lawrenceburgh, Madison and Salem, to Paoli;

And, on the question, Shall the instructions offered by Mr. Graham be amended, by adding thereto the additional instructions as offered by Mr. Canby? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Cotton, Graham, Gregory, Maxwell and Rariden—6.

Those who voted in the negative were,

Messrs. Blair, Clark, Colman, Daniel, Ewing, Fletcher, Givens, Lane, Milroy, Montgomery, Morgan, Simonson, Smiley and Waits—14.

So it was decided in the negative.

The question was then put, Shall this resolution be committed to a select committee, with instructions to amend said resolution so as to request an appropriation out of the treasury of the United States, to improve said road? and on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Cotton, Graham, Maxwell and Rariden—5.

And those who voted in the negative were,

Messrs. Blair, Clark, Colman, Daniel, Ewing, Fletcher, Givens, Gregory, Lane, Milroy, Montgomery, Morgan, Simonson, Smiley and Watts—15.

So it was decided in the negative.

And on the question, Shall the said joint resolution pass?

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Ewing, Givens, Gregory, Lane and Simonson—7.

And those who voted in the negative, were,

Messrs. Blair, Colman, Cotton, Daniel, Fletcher, Graham,

Maxwell, Milroy, Montgomery, Morgan, Rariden, Smiley and Watts—13.

So it was decided in the negative.

And on motion, the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, JANUARY 2, 1828.

The Senate assembled.

Mr. Gregory, from the committee on public roads and highways, to whom the subject had been referred, now made the following report, to-wit:—The committee on roads and highways, to whom was referred the petition of David Mount, Samuel Shirk, and John Davis, commissioners on the state road leading from the Ohio state line, via Brookville, to Indianapolis, have had the same under consideration; and, upon the examination of “an act for the better improvement of the state road from Indianapolis to Rushville,” approved January 20, 1827, and appointing separate commissioners for the same, find that the law made it the duty of the agent of the three per cent. fund, to retain in his hands, for the use of said section of road, one thousand dollars; five hundred dollars of that sum appropriated for the road leading through Brookville, from the Ohio state line to Indianapolis, and five hundred dollars for the road laid out from the Ohio state line, via Connersville, to Indianapolis, after paying all damages and legal contracts entered into before the 15th day of January, 1826; and we deem the course pursued by the agent, to be strictly within the meaning of the above recited act, and that further legislation on the subject is unnecessary.

Which report was read and concurred in.

Mr. Givens, obtained leave to introduce a joint resolution of the General Assembly, relative to the western mail route from Louisville in Kentucky, to St. Louis in Missouri; which joint resolution was twice read; when,

Mr. Rariden moved to amend the same, by adding thereto the following, to-wit:

“And to make and construct a turnpike road from the town of Centreville in Wayne county, to the town of Lawrenceburgh in Dearborn county; the proceeds of said grant to be equally divided between said roads.”

And, upon the question, shall the said amendment be adopted?

The ayes and noes being demanded by two members.

Those who voted in the affirmative, were,

Messrs. Canby, Oliver, Rariden, Smiley and Watts—5.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan and Simonson—16.

And on the question, Shall the said resolution be engrossed for a third reading to-morrow?—the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Milroy, Montgomery, and Simonson—13.

And those who voted in the negative, were,

Messrs. Colman, Cotton, Maxwell, Morgan, Oliver, Rariden, Smiley and Watts—8.

So it was decided in the affirmative,

And the said joint resolution ordered to be engrossed for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bill, entitled.

An act to established a levee to preserve the road leading from Vincennes through the lower prairie near to the Wabash river;

And find the same truly enrolled.

The bill to amend the act, entitled an act to provide for the election of electors of President and Vice President of the United States;

Was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill for the relief of John Spencer, collector of Dearborn county, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed joint resolution relative to the procuring of a complete set of the Journals of Congress, and other public documents, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill authorizing the leasing of Royse's Lick and Rock Lick reserves, in the county of Washington, (from the House of Representatives,) was read a third time and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill to amend an act, entitled an act to establish a state library, approved February 11, 1825, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate now, according to order, resolved itself into committee of the whole Senate, on the bill regulating estrays, and water crafts going adrift, Mr. Fletcher in the chair; when, after some time spent thereon, the committee rose,

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate, with an amendment, which was by striking out the whole bill from the enacting clause; and the said report was concurred in, and the bill, as amended, ordered to lie on the table.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate, according to order, resolved itself into committee of the whole, on the bill to authorize the qualified voters of this state to vote for or against a convention for a revision of the constitution of this state, Mr. Graham in the chair; when, after some time spent thereon,

The committee rose, Mr. President resumed the chair, and Mr. Chairman reported,

That the committee of the whole Senate had, according to order, had the said bill under consideration, and had made some progress therein; but not having time to go through the said bill, had instructed him to report the same to the Senate, and request leave to sit again.

And on the question, Shall the committee of the whole Senate have leave to sit again on said bill? it was decided in the negative.

And on motion by Mr. Colman,

The bill was recommitted to a select committee, with instructions so to amend the bill as to incorporate, in their prop-

er places, the various amendments made in committee of the whole to said bill.

And Messrs. Colman, Simonson and Montgomery, were appointed that committee.

Mr. Fletcher, from the committee on enrolled bills, now reported that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act respecting the state and county revenue of the county of Clay, for the year 1826;

An act to establish a canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie;

An act relative to the Knox county Poor House; and

An act supplemental to an act, entitled an act changing the mode of doing county business in certain counties therein named, approved January 26, 1827;—and find the same truly enrolled.

On motion by Mr. Rariden,

The committee of the whole Senate was discharged from the further consideration of the engrossed joint resolution, relative to the removal of the pension office from Corydon to Indianapolis; and the said joint resolution was taken up and read; when,

Mr. Graham moved, that the further consideration of the said joint resolution be indefinitely postponed.

And on this motion, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Givens, Graham, Lane, Milroy, Montgomery, Oliver, Simonson, and Watts—15.

And those who voted in the negative were,

Messrs. Fletcher, Gregory, Maxwell, Morgan, Rariden, and Smiley—6.

So it was decided in the affirmative, and the further consideration of the said joint resolution indefinitely postponed.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, JANUARY 3, 1828.

The Senate assembled.

Mr. Blair laid before the Senate the petition of Samuel M. George and others, inhabitants of Tippecanoe county, praying the incorporation of a school district, as set forth in said petition;

Which was read and referred to the committee on Education to report thereon.

Mr. Ewing laid before the Senate, the petition of Peyton Douglass and others, inhabitants of Martin county, praying a relocation of the seat of justice of said county;

Which petition was read and referred to a select committee to report thereon; and Messrs. Ewing, Colman, Montgomery and Milroy were appointed that committee.

Mr. Gregory, from the select committee to whom the subject had been referred, now reported a bill, attaching part of the county of Morgan to the county of Johnson;

Which bill was read a first time, and ordered for second reading to-morrow.

Mr. Colman from the select committee to whom had been referred the bill to authorize the qualified voters of this state to vote for or against a revision of the Constitution of this state, with instructions to incorporate its various amendments, now reported, that they had performed that duty;

And the said report was read and concurred in, and the bill ordered to be engrossed for third reading to-morrow.

The engrossed joint resolution of the General Assembly relative to the Western Mail route from Louisville in Kentucky, to St. Louis in Missouri, was read a third time, and on the question, shall this resolution pass?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Daniel, Ewing, Givens, Gregory, Lane, Milroy, Montgomery and Simonson—10.

And those who voted in the negative, were,

Messrs. Colman, Cotton, Graham, Maxwell, Morgan, Oliver, Rariden, Smiley and Watts—9.

So it was decided in the affirmative; and the said joint resolution passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate now, according to order, resolved itself into

committee of the whole, on the joint resolution of the General Assembly, relative to the Maskackituck bridge; Mr. Givens in the chair;

When after some time spent thereon the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said joint resolution to the Senate with an amendment, which was read and concurred in, and the said joint resolution as amended, ordered to be engrossed for third reading tomorrow.

The Senate according to order, resolved itself into committee of the whole, on the bill allowing the county of Marion per centum out of the sales of lots in the town of Indianapolis, for the use of a county Library; Mr. Gregory in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate without amendment.

Mr. Fletcher then moved to fill up the blank in said bill where a blank occurs with the word "two;" the object of which amendment was to appropriate two per centum of the sales of lots heretofore made in the town of Indianapolis, for the benefit of a county Library, for Marion county; when after some discussion on this motion,

Mr. Maxwell moved that the said bill be laid on the table; which motion prevailed, and the said bill was ordered to lie on the table.

The Senate according to order, resolved itself into committee of the whole, on two several bills to amend the several acts, relative to assessing and collecting the revenue; Mr. Lane in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bills to the Senate with sundry amendments, one of which (amongst others) was, by incorporating the said two bills into one; and the said amendments were read and concurred in.

Mr. Graham then moved that said bill be laid on the table; which motion was decided in the negative.

Mr. Ewing then offered the following amendment to said bill, to-wit:

Sec. In all cases where collectors of the several counties of this state have heretofore omitted to make return of land assessed more than once for the same year, it is hereby rendered the duty of the board of justices, or other board doing county business, of the proper county, to examine previous as-

assessment and delinquent lists, and if any such illegal assessments now appear as a debt due to the state, upon the books of the treasury, said board shall authorize an official statement to be forwarded to the Treasurer of state, and certified by the clerk of the circuit court, setting forth such tracts of land, with the amount of tax improperly returned as due by such courts; which statement shall govern the accounts of the Auditor and Treasurer in claiming of the county, and shall be filed in the office of the Auditor.

And on the question, 'Shall this amendment be adopted?' it was decided in the negative;

And the bill, as amended in committee of the whole, was ordered to be engrossed for third reading to-morrow.

The Senate now, according to order, resolved itself into committee of the whole, on the bill to amend an act to establish county seminaries, in the several counties therein named, approved January 26, 1827; Mr. Maxwell in the chair—when, after some time spent thereon,

The committee rose, Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate, with sundry amendments, which were read and concurred in; and the bill, as amended, ordered to be engrossed for third reading to-morrow.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Thorton, Clerk of the House of Representatives, now informed the Senate, that

The House of Representatives have passed the bill of the Senate, entitled an act for the benefit of the devisees of Thomas Watts, deceased, without amendment.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President.

They have appointed Messrs. Boon and Judah a committee of free conference, to take into consideration the disagreeing votes of the two Houses, relative to the amendment proposed by the House of Representatives to the amendment proposed by the Senate, to the bill "to revive an act entitled an act for the relief of such persons as have suffered, or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed September 7, 1814."

They have passed bills of the following titles, to-wit:

An act to incorporate the Indianapolis and White Water turnpike company. And,

An act authorizing the board of justices of Wayne county, to sell a part of the public square in the town of Centerville.

In both of which last named bills the concurrence of the Senate is requested; and

The said several enrolled bills were now signed by the President of the Senate, and handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The engrossed bill from the House of Representatives, to incorporate the Indianapolis and White Water turnpike company, was read a first time, and ordered for second reading to-morrow.

The engrossed bill from the House of Representatives, authorizing the board of justices of Wayne county, to sell a part of the public square in the town of Centerville, was read a first time, and ordered for second reading to-morrow.

The Senate now, according to order, resolved itself into a committee of the whole, on the bill providing for the improvement of the navigation of the White rivers, Mr. Morgan in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made therein; but not having time to go through the whole of said bill, had instructed him to report the same to the Senate, and request leave to sit again;

And on the question, Shall the committee of the whole have leave to sit again on said bill? it was decided in the negative, and leave refused.

Mr. Fletcher then offered the following amendment to said bill, to-wit: strike out the words "at Indianapolis," and insert, in lieu thereof, the words "where the eastern line of Madison county crosses the river."

The object of which amendment of Mr. Fletcher, was to fix the point at which the improvement of the navigation should commence, as contemplated by said bill, at the eastern boundary line of Madison county.

And on the question, Shall this amendment be adopted? it was decided in the affirmative.

Mr. Smiley then offered the following section, as an amendment to said bill, to-wit:

Sec. That the sum of one thousand dollars is hereby appropriated of the fund aforesaid, to the improvement of the east and west branches of White Water river, from the northern boundaries of the counties of Fayette and Union, to their junct-

tion at or near Brookville, to be equally divided between the county of Franklin and the counties aforesaid, each one third; and to be drawn on the order, and applied under the directions of the courts doing county business in said counties.

Which amendment was also adopted.

Mr. Morgan offered the following as an amendment, and additional section to said bill, to-wit:

Be it further enacted, that five hundred dollars of the aforesaid fund be, and the same is hereby appropriated, for the purpose of opening a road from Winchester in Randolph county, to Fort Wayne in Allen county.

And previous to taking any question on this proposed amendment,

The Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, JANUARY 4, 1828.

The Senate assembled.

On motion by Mr. Graham,

The bill providing for the improvement of the navigation of the White rivers, was ordered to lie on the table.

Mr. Maxwell, from the committee on Education, to whom the subject had been referred, now made the following report, to-wit:

The committee on Education to whom was referred the petition of Samuel McGeorge and others, of Tippecanoe county, praying for the formation of a common school district with corporate powers, in said county, have had the subject under consideration, and have instructed me to report, that, in the opinion of said committee the existing laws on the subject of incorporating Congressional townships and providing for public schools therein, is amply sufficient to meet the case of the petitioners, and that further legislation on that subject is unnecessary; and the said report was read and concurred in.

Mr. Oliver from the select committee to whom the subject had been referred, now reported,

A bill to incorporate the Franklin Cotton Manufacturing Company, and the White Water Manufacturing Company;

Which was twice read by common consent, committed to a

committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Graham obtained leave to introduce a bill, attaching certain territory to the counties therein named;

Which was read, and ordered for second reading to-morrow.

Mr. Lane, from the joint committee on enrolled bills, now reported, that they did on this day present to his Excellency the Governor, for his approval and signature the following enrolled bills, entitled acts, to-wit:

An act supplemental to an act, entitled an act, changing the mode of doing county business in certain counties therein named, approved, January 26, 1827.

An act relative to the Knox county Poor House.

An act to amend an act entitled an act, respecting apprentices, approved, January 7, 1818.

An act to establish a Canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie.

An act respecting the state and county revenue of the county of Clay, for the year 1826.

An act to establish a levee, to preserve the road leading from Vincennes through the Lower Prairie near to the Wabash river; and,

An act attaching a portion of vacant territory to the county of Floyd, lying and adjoining to the said county.

The bill attaching part of the county of Morgan to the county of Johnson, was read a second time, amended on motion by Mr. Gregory, by filling up the blank in the first section with the following figures and words, to-wit: "13 and 24," after the word "sections," and the bill as amended, ordered to be engrossed for third reading to-morrow.

The engrossed bill from the House of Representatives to authorize the board of Justices of Wayne county to sell and convey a part of the public square, in the town of Centerville, was read a second time, amended on motion by Mr. Rariden, by common consent, when,

Mr. Clark moved, that the further consideration of the said bill be indefinitely postponed;

And, upon the question, shall the further consideration of said bill be indefinitely postponed?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Daniel, Fletcher, Maxwell, Milroy and Morgan—6.

And those who voted in the negative were,
Messrs. Blair, Canby, Colman, Cotton, Ewing, Givens, Graham, Gregory, Lane, Montgomery, Oliver, Rariden, Simonson, Smiley and Watts—15.

So it was decided in the negative.

Mr. Fletcher then moved to amend the said bill by adding thereto the following proviso, to-wit: "provided such sale will not interfere with the purposes of the original donation," when,

Mr. Clark proposed to amend the said amendment by adding thereto the following words, to-wit: "or destroy public faith;"

Which amendment offered by Mr. Clark, to the amendment proposed by Mr. Fletcher, was adopted by consent;

And on the question, shall the said amendment, as amended, be adopted? It was decided in the negative.

And on the question, shall the amendments to the said bill be engrossed for third reading to-morrow?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Ewing, Givens, Graham, Gregory, Lane, Montgomery, Oliver, Rariden, Simonson, Smiley and Watts—15.

And those who voted in the negative, were,

Messrs. Clark, Daniel, Fletcher, Maxwell and Morgan—5.

So it was decided in the affirmative; the said amendment ordered to be engrossed, and with the bill read a third time to-morrow.

The bill to incorporate the Indianapolis and White Water Turnpike Company, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill to authorize the qualified voters of this state to vote for or against a Convention for the revision of the Constitution of this state;

The engrossed joint resolution of the General Assembly, relative to a bridge over the Muskackituck, on the Mauks' ferry road;

The engrossed bill to amend the several acts now in force in this state, for assessing and collecting the revenue; and,

The engrossed bill to amend an act, entitled an act, to establish county Seminaries, in the several counties therein named, approved, January 26th, 1827; were severally read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Fletcher,

The Senate now proceeded to reconsider their vote heretofore given, postponing indefinitely the further consideration of the engrossed bill from the House of Representatives, directing the mode of suing out and prosecuting writs of habeas corpus; and the question again recurring, shall the further consideration of the said bill be indefinitely postponed?

It was decided in the negative; and the said bill was recommitted to a select committee, composed of Messrs. Fletcher, Graham and Ewing, to report thereon.

On motion by Mr. Morgan,

The bill to amend an act entitled an act, relative to crime and punishment, approved, January 20, 1824, was now taken up, committed to the same committee of the whole Senate to whom had been committed the engrossed bill from the House of Representatives, to amend the act entitled an act, relative to crimes and punishments; whereupon,

The Senate according to order, resolved itself into committee of the whole on the two last above named bills, Mr. Montgomery in the chair;

And after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bills to the Senate, with progress made therein; and that the committee of the whole Senate not having time to go through the whole of said bills, had instructed him to ask leave to sit again; and by unanimous consent of the Senate, leave was granted.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate again, according to order, resolved itself into committee of the whole,

On the engrossed bill from the House of Representatives, to amend an act, entitled an act relative to crimes and punishments; and,

The bill of the Senate, to amend an act, entitled an act relative to crime and punishment, approved January 20, 1824,

Mr. Montgomery in the chair; when, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the first mentioned bill to the Senate, with sundry amendments, which were read and concurred in by the Senate; except that amendment made in committee of the whole to the said bill, which leaves it discretionary with

the jury, who convicts a person of petit larceny, to add also a punishment of stripes, not exceeding thirty-nine.

And on the question, Shall this amendment be concurred in? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Colman, Cotton, Daniel, Ewing, Graham, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—13.

And those who voted in the negative, were,

Messrs. Blair, Fletcher, Givens, Lane, Milroy, Simonson and Smiley—7.

So the said amendment was concurred in.

Mr. Ewing then moved to refer the said bill to a select committee, with instructions to amend the same, so as to provide that every person who shall feloniously steal, take or carry, lead or drive away, the goods of another, of less value than one dollar, shall be deemed guilty of a petit misdemeanor, and all such offences shall be tried by a justice of the peace of the proper county; and a conviction thereof shall subject the culprit to a fine of \$3, and render it the duty of every magistrate before whom such trial and conviction may take place, to publish in some public newspaper, (if any such there be in his proper county,) or, in a legible hand writing, affix to three of the most public places in said county, the names of all such convicts, and their offences, on or before the first Monday of August of each and every year; and upon conviction of a second such misdemeanor, within this state, the culprit shall be deemed guilty of petit larceny, and suffer accordingly.

And on the question, Shall this bill be so referred, with instructions as aforesaid?

It was decided in the negative.

The amendments were then ordered to be engrossed, and, with the bill, read a third time to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that,

The House of Representatives have passed engrossed bills of the following titles, viz:

An act to carry into effect the eighth article of the constitution of Indiana; and

An act to incorporate the town of Corydon, in Harrison county;

In which the concurrence of the Senate is requested.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate, for the signature of their President.

And the said enrolled bills having been signed by the President of the Senate, were handed to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

And the Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, JANUARY 5, 1828.

The Senate assembled.

Mr. Fletcher, from the committee of enrolled bills, now reported, that they have compared the following enrolled, with the engrossed bills, entitled acts, to-wit:

An act to amend an act, entitled an act for the benefit of persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were destroyed by fire, in the court house at Lawrenceburgh, on the morning of the 6th of March, 1826; approved January 11, 1827.

An act authorizing the leasing of Roye's Lick and Rock Lick reserves, in the county of Washington; and,

An act for the formation of the county of Carroll;

And find the same truly enrolled.

Mr. Ewing, from the select committee to whom had been referred the petition of the inhabitants of Martin county, praying the re-location of the seat of justice of said county, now reported:

A bill to provide for the re-location of the seat of justice of Martin county, and extending the boundaries thereof.

Which bill was read, and ordered for a second reading on Monday next.

Mr. Colman, from the joint committee of free conference appointed on the subject, now made the following report, to-wit:

Your committee of free conference, appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, on the subject matter of disagreement between the two Houses, on the amendment made by the Senate to the bill from the House of Representatives, to revive—

An act, entitled an act for the relief of such persons as have suffered, or may hereafter suffer, by the destruction of the re-

cords of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed 7th September, 1814—

Have discharged that duty, and report that the House of Representatives recede from their objections to the amendment made by the Senate to the said bill.

Which report was read and concurred in;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

On motion by Mr. Fletcher,

Resolved, That a select committee be appointed to inquire what further regulations, if any, are necessary to be made by law, as to the several acts now in force, authorizing the printing and distributing of the acts, joint resolutions and journals of the present General Assembly, with leave to report by bill or otherwise;

And Messrs Fletcher, Milroy and Daniel, were appointed that committee.

Mr. Ewing obtained leave to introduce a joint resolution of the General Assembly of the State of Indiana, relative to printing a certain treaty made with the Indians, and certain acts of Congress;

Which was read, and ordered for second reading on Monday next.

Mr. Fletcher, from the select committee to whom had been committed the engrossed bill from the House of Representatives, directing the mode of suing out and prosecuting writs of habeas corpus, now reported the said bill, with amendments, which was read and concurred in;

And the amendments ordered to be engrossed for third reading on Monday next.

The engrossed bill from the House of Representatives, to carry into effect the eighth article of the constitution of Indiana, was read twice by common consent, and ordered to lie on the table.

The engrossed bill from the House of Representatives, to incorporate the town of Corydon, in Harrison county, was read twice by common consent, and ordered for third reading on Monday next.

The Governor, by Mr. John Wick, now informed the Senate, that he did on this day, January 5, 1828, approve and sign "An act to establish a levee to preserve the road leading from Vincennes through the lower prairie, near to the Wabash river;" which originated in the Senate.

On motion by Mr. Watts,

Ordered, That Mr. Gregory have leave of absence until Monday morning next.

The bill attaching certain territory to the counties therein named, was read a second time, and ordered to be engrossed for third reading on Monday next.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bill, entitled "An act for the benefit of the devisees of Thomas Watts, deceased;" and find the same truly enrolled.

The engrossed bill, attaching part of the county of Morgan to the county of Johnson, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill from the House of Representatives, authorizing the board of Justices of Wayne county to sell a part of the public square in the town of Centerville, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in said amendment.

The engrossed bill from the House of Representatives, to amend an act, entitled an act relative to crimes and punishments, as amended in Senate, was read a third time; and on the question, Shall this bill pass?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Clark, Colman, Cotton, Daniel, Graham, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—12.

And those who voted in the negative, were,

Messrs. Blair, Ewing, Fletcher, Givens, Lane, Milroy, Simonson and Smiley—8.

So it was decided in the affirmative, and the said bill passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in said amendment.

The Senate now according to order, resolved itself into committee of the whole, on the bill to provide for the settlement of the accounts of the commissioners of certain state roads; Mr. Milroy in the chair;

When, after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate with progress made therein, and a request for leave to sit again thereon; and by unanimous consent leave was granted.

And the Senate adjourned to 2 o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Ewing moved that the committee of the whole Senate be discharged from the further consideration of the bill to provide for the settlement of the accounts of the commissioners of certain state roads;

Which motion prevailed, and the committee of the whole Senate was discharged from the further consideration of the said bill.

Mr. Ewing then moved that this bill be recommitted to a select committee with instructions so to amend the same that the agent of the three per centum fund shall settle with the commissioners upon the reports furnished to him, under the act appropriating \$100,000 dollars, and the act of the last General Assembly, if satisfied that the reports be correct, and to authorize in all such cases to close accounts and grant acquittances accordingly; also, to require of him to transmit the reports, accounts, and all proper documents and information of such commissioners as may not have rendered satisfactory reports as aforesaid, to the Prosecuting Attorney of the Circuit wherein such commissioner or commissioners may reside, who shall be required to enforce a settlement in such manner as may appear proper for the interest of the state; striking out of said bill such part as requires the agent to visit such commissioner or commissioners at their residence, and providing so that no farther payments shall be made by the agent, except for damages demanded or contracts legally entered into; Provided that if in the opinion of the agent, the commissioners or any of them have charges for more services than were necessary in the discharge of the duties of their office, the agent shall certify the same to the Prosecuting Attorney: and providing also, for abolishing the present boards of commissioners, and appointing one commissioner for each road.

And on the question, shall the said bill be committed with instructions as aforesaid? It was decided in the affirmative, and Messrs. Ewing, Cotton and Morgan were appointed that committee.

And the Senate adjourned to Monday morning nine o'clock.

MONDAY, JANUARY 7, 1829.

The Senate assembled.

Mr. Blair, from the select committee on the subject, now reported a bill to provide for surveying and locating a state road from Terre Haute to Fort Wayne;

Which was read a first time and ordered for second reading to-morrow.

Mr. Morgan obtained leave to introduce a bill, to enable the inhabitants of the congressional townships in the several counties in this state, to express their assent or dissent to a sale of the 16th section in the respective townships;

Which bill was read a first time and ordered to a second reading to-morrow.

Mr. Ewing offered for consideration and adoption, the following resolution, to-wit:

Resolved, That the agent of the 3 per cent. fund be requested to transmit to this House, a statement of all reports not already before us and now in his possession, furnished by state road commissioners, as required by the act approved January 26, 1827; also the names of, and the amount of money unaccounted for by such delinquent commissioners as have heretofore failed to report in conformity to said act; also, the names of such delinquent clerks, if any, as may have failed to report a certified copy of the bond or bonds of state road commissioners, filed in their several offices, demanded by said act; also, a list of the suits, if any, which the said agent may have instituted against delinquent state road commissioners, as authorized, and required by the second section of said act; also, the amount due of the sum originally appropriated, and to what board of commissioners, with such additional information of the solvency of delinquent commissioners and their securities, the contracts now entered into and unsatisfied, and the names of attorneys authorized to prosecute delinquents, as appertains to the subject matter of this inquiry, within his knowledge to afford.

And the said resolution having been read at the secretary's table, was adopted.

Mr. Simonson obtained leave to introduce a bill simplifying proceedings at law for the collection of debts;

Which was read a first time and ordered for second reading to-morrow.

On motion by Mr. Blair,

Resolved, That the Senate will meet the House of Represen-

tatives in the Representative Hall, on Monday the 14th instant, for the purpose of electing, by joint ballot, three commissioners, in pursuance of the act passed this session of the General Assembly, to establish a canal to connect the navigable waters of the Wabash river with the navigable waters of the Miami of Lake Erie; that the House of Representatives be informed of the adoption of this resolution, and a similar one on their part requested.

Mr. Lane, from the joint committee on enrolled bills, reported that they did, on Saturday the 5th, present to his Excellency the Governor, for his approval and signature, the following bills, to-wit:

An act authorizing the leasing Roye's Lick and Rock Lick reserves, in the county of Washington;

An act for the formation of the county of Carroll: and,

An act to amend an act, entitled an act for the benefit of persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the court house, at Lawrenceburgh, on the morning of the 6th of March, 1826; approved January the 11th, 1827.

Mr. Thorton, Clerk of the House of Representatives, now informed the Senate, that

The House of Representatives have passed engrossed bills of the following titles, viz:

An act to extend the act entitled an act to provide for recording brands, ear marks and for posting estrays in the counties therein named, and for other purposes; approved Jan. 26, 1827;

An act providing for the repayment of certain monies to the county of Delaware; and,

An act authorizing the inhabitants of congressional township No. 11 north range, No. 9 west, to incorporate themselves according to the provisions of the act of 1824;

They have passed the enrolled bill of the Senate, entitled

An act to amend an act, entitled an act to establish a State Library; approved February 11, 1825;

And they have adopted the joint resolution of the Senate, relative to the procuring of a complete set of the Journals of Congress and other public documents—both without amendment;

They concur in the amendment proposed by the Senate, to the enrolled bill of the House of Representatives, entitled

An act authorizing the board of justices of Wayne county, to sell a part of the public square in the town of Centerville;

They concur in the report of the joint committee of free

conference, appointed to take into consideration the disagreeing votes of the two Houses, relative to the amendment proposed by the House of Representatives, to the amendment made by the Senate to the enrolled bill of the House of Representatives, entitled

An act to revive an act, entitled an act for the relief of such persons as have suffered, or are likely to suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed September 7, 1814."

They agree to the 2d, 3d, 4th, 5th, 6th and 7th amendments proposed by the Senate to the bill of the House of Representatives, entitled "An act to amend an act relative to crimes and punishments," (the said 6th amendment,) with an amendment, but disagree to the 1st amendment made by the Senate to said bill.

In which three first mentioned bills, and the amendment proposed to the said amendment to the last named bill, the concurrence of the Senate is requested.

The engrossed bill from the House of Representatives, authorizing the inhabitants of congressional townships No. 11 north, range 9 west, to incorporate themselves according to the provisions of the act of 1824;

The engrossed bill from the House of Representatives, providing for the repayment of certain monies to the county of Delaware; and,

The engrossed bill from the House of Representatives, to extend the act, entitled an act to provide for recording brands, ear marks, and for posting estrays in the counties therein named, and for other purposes, approved January 24, 1827;

Were severally read a first time in Senate, and severally ordered for second reading to-morrow.

The Senate then proceeded to consider the amendments made in Senate to the engrossed bill from the House of Representatives, to amend "An act relative to crimes and punishments;" when

Mr. Smiley moved, that the Senate do recede from the first amendment made in Senate to said bill; which motion was decided in the negative; and,

On motion by Mr. Morgan,

Ordered, That the Senate do insist on their said first amendment made to said bill.

The Senate then proceeded to consider the amendment made by the House of Representatives, to the 6th amendment

made in Senate to the said bill; which amendment was concurred in, and

Mr. Farnham was instructed to inform the House of Representatives that the Senate insist on their first amendment made to said bill, and concur in the amendment made by the House of Representatives to the 6th amendment made in Senate to said bill.

On motion by Mr. Gregory,

Resolved, That the Secretary of the Senate be instructed to call on the House of Representatives, for the report of the Surveyor General relative to the survey of the line between the state of Indiana and the territory of Michigan.

The joint resolution of the General Assembly, relative to the printing a certain Indian treaty, and the laws of Congress relative thereto, was read a second time, and ordered to be engrossed for third reading to-morrow.

The bill to provide for the relocation of the seat of justice of Martin county, and extending the boundaries thereof, was read a second time, ordered to be considered as engrossed, and read a third time to-morrow.

The engrossed bill from the House of Representatives, directing the mode of suing out and prosecuting writs of habeas corpus, as amended in Senate, was read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in the said amendments.

The engrossed bill from the House of Representatives to incorporate the town of Corydon, in Harrison county, was read a third time and passed, without amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill attaching a certain territory to the counties therein named, was read a third time, amended by common consent, and passed; and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate according to order, resolved itself into committee of the whole on the bill authorizing an additional sale of lots and blocks in the town of Indianapolis; Mr. Montgomery in the chair;

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate with an amendment, which was

by striking out the first section of said bill, which amendment was concurred in:

Mr. Fletcher then moved to amend the said bill by striking out so much thereof, as relates to the sale of certain blocks within the town of Indianapolis; and previous to taking any question thereon,

Mr. Gregory moved that the further consideration of the said bill be indefinitely postponed; and on the question, shall the further consideration of this bill be indefinitely postponed?

It was decided in the affirmative.

On motion by Mr. Colman,

The committee of the whole Senate was discharged from the further consideration of the bill for the benefit of Henry Markle; and the said bill was ordered to be engrossed for third reading to-morrow.

The Senate according to order, resolved itself into committee of the whole, on the bill to provide five Asylums in this state for the reception of the poor; Mr. Oliver in the chair;

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made therein; and a request for leave to sit again; and on the question, shall the committee of the whole have leave to sit again on said bill? It was decided in the affirmative, and leave granted.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate according to order, again resolved itself into committee of the whole, on the bill to provide five Asylums in this state for the reception of the poor; Mr. Oliver in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with sundry amendments; and previous to taking the question on concurrence in said amendments,

Mr. Rariden moved that the further consideration of the said bill be indefinitely postponed:

And on the question, shall the further consideration of this bill be indefinitely postponed?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Fletcher, Maxwell, Montgomery, Morgan, Rariden, Simonson and Smiley—11.

And those who voted in the negative, were,
Messrs. Clark, Daniel, Ewing, Givens, Graham, Gregory,
Lane, Milroy, Oliver and Watts—10.

So it was decided in the affirmative, and the further consideration of said bill indefinitely postponed.

The Senate according to order, resolved itself into committee of the whole, on the bill to amend an act, for the appointment of Constables, and defining their duties, approved, January 22d, 1824; Mr. Rariden in the chair;

When after some time spent thereon the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the same to the Senate with sundry amendments; and previous to taking any order on concurrence,

Mr. Maxwell moved that the further consideration of said bill be indefinitely postponed;

Which motion prevailed, and the further consideration of the said bill was postponed indefinitely.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, JANUARY 3, 1828.

The Senate assembled.

Mr. Fletcher, from the select committee to whom the subject had been referred, now reported,

A bill for printing and distributing the acts and journals of the present General Assembly; which bill was read a first time, and ordered for second reading to-morrow.

On motion by Mr. Simonson,

Resolved, That the Senate will meet the House of Representatives, (the House of Representatives consenting thereto,) in the Representatives' Hall, on Monday the 14th inst. for the purpose of electing an Agent of State for the town of Indianapolis for the term of three years, from the 24th instant; that the House of Representatives be informed thereof, and a similar resolution on their part requested; and,

Mr. Farnham was instructed to communicate that information and request.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following engrossed with the enrolled bill, entitled "An act to authorize the board of Justices of Wayne county to sell a part of the public square

in the town of Centerville," and find the same truly enrolled.

The bill to provide for surveying and locating a state road from Terre Haute to Fort Wayne, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The bill to enable the inhabitants of the Congressional townships in the several counties in this state to express their assent or dissent to a sale of the 16th section, in their respective townships, was read a second time, when,

Mr. Graham moved that the further consideration of the said bill be postponed until the first Monday in December next; and on this question,

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Daniel, Graham, Milroy, Oliver and Simonson—6.

And those who voted in the negative, were,

Messrs. Blair, Canby, Colman, Cotton, Ewing, Fletcher, Givens, Gregory, Lane, Maxwell, Montgomery, Morgan, Rariden, Smiley and Watts—15.

So it was decided in the negative; and,

On motion by Mr. Fletcher,

The said bill was committed to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have passed bills of the following titles, viz:

An act to establish a College in the state of Indiana; and,

An act amendatory of the several acts regulating the jurisdiction and duties of Justices of the Peace.

They have adopted "a joint resolution respecting the Agency at Indianapolis."

They have also adopted a joint resolution from the Senate, entitled "a joint resolution of the General Assembly, relative to the Western mail route from Louisville in Kentucky, to St. Louis in Missouri;" without amendment.

They insist on their disagreement to the 1st amendment proposed by the Senate, to the bill of the House of Representatives, entitled "An act to amend the act entitled an act relative to crimes and punishments."

They concur in the amendment proposed by the Senate to the bill of the House of Representatives, entitled An act directing the mode of suing out and prosecuting writs of habeas corpus, with an amendment.

In which two first named bills, the first named resolution and

the amendment to the amendment made to the last named bill the concurrence of the Senate is requested.

The engrossed bill from the House of Representatives to establish a College in the state of Indiana, was read twice, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives, amendatory of the several acts regulating the jurisdiction and duties of Justices of the Peace, was read twice by common consent, when,

Mr. Montgomery moved, that the further consideration of the said bill be indefinitely postponed:

And on the question, shall the further consideration of this bill be indefinitely postponed?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Colman, Cotton, Fletcher, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden, Simonson and Watts—13.

And those who voted in the negative, were,

Messrs. Daniel, Ewing, Givens, Graham, Lane, Milroy and Smiley—7.

So it was decided in the affirmative, and the said bill postponed indefinitely.

The Senate now proceeded to consider the first amendment made in Senate, to the engrossed bill from the House of Representatives to amend an act entitled an act relative to crimes and punishments, and objected to by the House of Representatives; when,

Mr. Fletcher moved that the Senate do recede from their said first amendment to the said bill, and on this question,

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Daniel, Fletcher, Givens, Milroy, Simonson and Smiley—7.

And those who voted in the negative were,

Messrs. Clark, Colman, Cotton, Ewing, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—13.

So it was decided in the negative, that the Senate do not recede from said amendment.

Mr. Simonson moved, that the Senate do adhere to their said amendment, which motion was also decided in the negative.

Mr. Graham then moved that the Senate insist on their said amendment to the above mentioned bill, and that a committee

of free conference be appointed on the part of the Senate to confer with a similar committee to be appointed on the part of the House of Representatives, on the subject matter of disagreement between the two Houses, relative to the above mentioned bill; and,

Messrs. Rariden and Graham were appointed that committee, on the part of the Senate; and,

Mr. Farnham was instructed to inform the House of Representatives of the appointment of said committee of free conference, and to request the appointment of a similar committee on the part of that House.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have adopted the following resolution, viz:

Resolved, That the House of Representatives will, on Monday the 14th inst. at the hour of 10, A. M. of said day, proceed to elect three Canal Commissioners, in pursuance of a law passed at the present session, and that the Senate be informed of the adoption of this resolution.

The bill simplifying the proceedings at law, for the collection of debts, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives authorizing the inhabitants of Congressional township No. 11, north, range 9, west, to incorporate themselves according to the provisions of the act of 1824;

The engrossed bill from the House of Representatives, providing for the re-payment of certain monies to the county of Delaware; and,

The engrossed bill from the House of Representatives to extend the act entitled an act to provide for recording brands, ear marks, and for posting estrays, in the counties therein named, and for other purposes, approved, January 24, 1827; were severally read a second time, and severally ordered for third reading to-morrow.

The engrossed bill to provide for the relocation of the seat of justice of Martin county, and extending the boundaries thereof;

The engrossed joint resolution of the General Assembly relative to the printing a certain Indian treaty, and certain laws of Congress; and,

The engrossed bill for the benefit of Henry Markle; were severally read a third time, and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

And the Senate adjourned to three o'clock P. M.

Three o'clock, P. M.

The Senate assembled.

The Secretary of the Senate now reported, that in obedience to a resolution of the Senate, he called on the agent of the three per cent. fund, for the reports of certain road commissioners, and received sundry documents, with a report from that officer, which documents and report were now in his possession; and,

On motion by Mr. Ewing,

The said report and documents, together with the annual report of the agent of the three per cent. fund, were referred to the select committee to whom had been referred the bill for the settlement of the accounts of certain road commissioners.

On motion by Mr. Gregory,

The committee of the whole Senate was discharged from the further consideration of the bill authorizing the Court doing county business in Morgan county, to exempt the citizens of said county from paying ferriage: and the said bill was ordered to be engrossed for third reading to-morrow.

On motion by Mr. Morgan,

The Senate reconsidered their vote, prohibiting from being spread on the Journals of the Senate, the bill to provide for the summit level section of the Wabash Canal, and the examination of the Maumee river.

And the question again recurring, shall the said bill be spread upon the Journals of the Senate?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Ewing, Graham, Gregory, Milroy, Montgomery, Morgan, Rariden, Simonson, Smiley and Watts—12.

And those who voted in the negative, were,

Messrs. Blair, Cotton, Fletcher, Givens and Maxwell—5.

So it was decided in the affirmative, and the said bill was ordered to be spread on the Journals, as follows, to-wit:

A bill to provide for the summit level section of the Wabash canal, and the examination of the Maumee river:

Sec. 1. *Be it enacted by the General Assembly of the State of Indiana,* That a board of canal commissioners, to consist of three members, shall be appointed by joint ballot of the Senate and House of Representatives, who shall hold their respective stations during the term of three years, subject to be displaced by a joint resolution of the General Assembly, each of whom shall, before entering upon the duties required of him by this act, enter into bond to the state, with at least two substantial freeholders as securities, in the penal sum of ten thousand dollars, conditioned for the faithful accounting of all monies entrusted to him, as canal commissioner, which bond shall be approved by the Governor; and shall take an oath or affirmation, well and faithfully to execute the duties of his appointment, which shall be duly certified, and the certificate filed with said bond in the office of the Secretary of State; and the Treasurer of state shall, in addition to his official duties, be the treasurer of said board, for the safe keeping of money in immediate use, and through his vaults all sums received and paid out must pass, but they may appoint their own secretary, with such engineers, assistants, surveyors, and other persons, to accomplish the object of this act, and allow to them such reasonable compensation as they may deem proper and necessary; and the Governor of the State of Indiana shall be viewed as a consulting commissioner, in and by virtue of his office, when called upon by the acting commissioners for his advice, or when he thinks proper to afford it at any time.

Sec. 2. That said board, when organized, shall be designated, "The Board of Commissioners of the Wabash Canal," and shall, for and on behalf of the state of Indiana, receive and accept of the grant of land donated for the purpose of aiding to connect the navigable waters of the Wabash with those of Lake Erie; and a majority of said board can act in concert upon all matters within the purview of their trust, as herein provided. and it is hereby required of the Secretary of State of the state of Indiana, to transmit to said commissioners a fair copy of such report or reports, with all the accompanying information which may reach the executive department officially, from the chief of the brigade of United States' engineers employed in making a survey of a line of the Wabash canal, as the same may be communicated.

Sec. 3. That the said canal commissioners are hereby authorized and empowered, in behalf of this state, and on the faith and strength of the means hereinafter pledged, to commence

and prosecute the making of a navigable canal, from the Maumee river through the summit level marked upon the survey of the Wabash canal route, as designated by the United States' engineer, to the mouth of Little river, with a feeder from the St. Joseph's, as may be found proper and advisable, a distance of 29 miles, one hundred and two chains, requiring a lockage of thirty-two feet; and the dimension and locks of said summit section canal, shall be determined by a majority of the said board of commissioners, having the approbation of a skilful engineer, with a due regard to the nature and utility of the improvement, its cost, and the durability thereof.

Sec. 4. That to carry into effect and accomplish the work hereby provided for, the commissioners aforesaid are hereby authorized to create so much stock, to be denominated "Wabash canal stock," redeemable at any period after the expiration of twenty years, as shall, by the sales thereof, produce the sum of two hundred thousand dollars, to bear an interest of six per centum per annum, which shall be payable according to the terms to be agreed upon; and for the payment of the interest and final redemption of the said stock, there shall be, and are hereby irrevocably pledged and appropriated, the nett proceeds of ninety-three thousand eight hundred acres of land, this being the quantity donated by the United States, for the distance of the contemplated canal aforesaid, hereby authorized to be effected; also the nett proceeds of tolls collected on the canal herein described and provided for, with all rents and profits to arise from, or appertaining to the same, belonging to the state; also all the money to arise from the sale of stock hereafter, for the extension of the said canal, and to be collected as tolls, or accrue as rents or profits from the same; together with the faith of the state for the final redemption of the debt; and that no tax shall ever be levied upon said stock, nor shall any act be sanctioned, under the authority of this state, to impair the value of the stock to be created under this act, or the interest payable thereon.

Sec. 5. That the money hereby specifically pledged, with all that may hereafter arise from the property, together with the nett proceeds of all tolls and profits arising in any way from the work provided for, and such instalments upon the stock to be sold as the commissioners may require for immediate use, shall be paid into the state treasury, and shall be kept distinct and apart from all other monies belonging to the state, and the accounts thereof shall be preserved in separate books, to be procured and kept for that special purpose; and all monies paid into the treasury, for or on account of the canal

fund, shall be paid over by the Treasurer of the state, on the order of the commissioners, or a majority of them, as herein-after provided for the faithful application thereof.

Sec. 6. That a regular and correct system of accounting be pursued by the treasurer and the commissioners, the Treasurer of State is hereby required to file an additional bond, with at least two substantial freeholders as securities, in the penal sum of ten thousand dollars, conditioned for the faithful accounting and paying over, according to law, of all monies entrusted to him as treasurer under this act, which bond shall be approved by the Governor, and filed in the office of the Secretary of State, and whenever the sum or sums of money paid by the treasurer to the order or orders of the commissioners, shall amount to the sum of 30,000 dollars, it shall not be lawful for him to pay any further sum or sums, until the said commissioners shall first have produced their certified account and vouchers, which shall be countersigned by the Governor, and filed in the said treasurer's office, shewing the payment and expenditures of the monies received by, or paid upon the orders of the said commissioners; and the said treasurer, as a full compensation for his trouble and responsibility, shall be entitled to one half per cent. upon all the monies received and paid out by him, to be accounted for as other expenses of said fund; and the said commissioners shall each be entitled to a compensation of two dollars per day for every day's service rendered in obedience to this act.

Sec. 7. That to guard against all possible mistakes and losses, it shall be the duty of the acting canal commissioners, to take duplicate receipts for all sums of money which they may pay or advance to agents, contractors and engineers, one whereof, in each and every case, shall be filed with the treasurer; and a true copy of all contracts for the construction and accomplishment of the work contemplated by this act, and every part thereof, shall be forthwith filed with the treasurer; and before entering into any contract, 60 days notice shall be given, in at least four newspapers printed in this state, and one newspaper printed in each of the states of Kentucky & Ohio, respectively, and in such others as may be deemed expedient by the commissioners, of the time and place at which proposals will be received for entering into such contracts: and no extra allowance shall ever be made, under any circumstances, for the performance of any such contract, beyond the sum stipulated therein; and said commissioners are precluded from forming or being connected with any contract, or acting in relation to said canal, but

in the capacity of commissioners, or agent of the board hereby created on behalf of the state.

Sec. 8. That said commissioners shall, by themselves or agent duly authorized, arrange and negotiate for the stock hereby authorized, and the mode of transmitting and receiving the funds to be raised and derived therefrom, and for the payment of the interest to accrue thereon, and shall transmit to the Auditor of public accounts quarterly, reckoning from the first Monday of December in each year, a full account of the stock and monies received, where deposited, and how expended under this act, and shall transmit to the General Assembly, on the second Monday of December in each year, a detailed report of and concerning all matters and things transacted in and about the business of said canal, and the amount of monies expended, with the amount due and to become due under contracts entered into.

Sec. 9. So soon as a communication from the Wabash to the Maumee be opened, the commissioners shall adopt such regulations concerning the same, with the rates of toll upon boats, persons and property, passing through the same, as may seem to them proper and reasonable, and shall devise the mode and manner of collecting the same, all which shall remain valid until altered by said board, or by act of the General Assembly; and a copy of said rates of toll shall be embraced, with the rules and regulations they may adopt, in each annual report to the General Assembly.

Sec. 10. Every person actually engaged in laboring upon the canal hereby provided for, shall be exempt from doing militia duty, and from working upon roads, during the period of such engagements, excepting always from the militia exemption, all cases of invasion or insurrection.

Sec. 11. The said commissioners are hereby required to employ a practical engineer, with such other persons as, in their opinion, may be necessary to examine the obstructions, take levels, and survey the Maumee river, from Fort Wayne, to that point which shall be deemed free of all obstructions, to the Lake, and shall present to the next ensuing Legislature, a succinct report of the result and the practicability of its improvement, together with estimates of the probable cost to render the channel sufficient to afford a certain steam boat navigation; also their views of the relative advantage to arise from such improvement, and that of a canal, that the mode most advisable may be adopted.

Mr. Fletcher, from the joint committee of enrolled bills, now

reported, that they have compared the following enrolled with the engrossed bill, entitled

An act to amend an act, entitled an act to establish a state library, approved February 11, 1825; and also,

A joint resolution relative to the procuring of a complete set of the Journals of Congress, and other public documents;—and find the same truly enrolled.

The Senate, according to order, resolved itself into committee of the whole, on the engrossed bill, from the House of Representatives, supplementary to an act, entitled an act for the appointment of county surveyors and their deputies, approved January 30, 1824;—Mr. Simonson in the chair:

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with an amendment, which was read and concurred in;

And the amendment was ordered to be engrossed, and, with the bill, read a third time to-morrow.

The Senate, according to order, resolved itself into committee of the whole, on the bill to suppress certain fraudulent practices, Mr. Smiley in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate, with an amendment, which amendment was concurred in;

And the bill as amended, was ordered to be engrossed for third reading to-morrow.

The Senate, according to order, resolved itself into committee of the whole Senate, on the joint resolution of the General Assembly, relative to examining and surveying that part of the Wabash river, under the joint jurisdiction of Indiana and Illinois;

And the joint resolution relative to the navigation of the Wabash river;

The latter from the House of Representatives—Mr. Watts in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, Mr. Chairman reported the same to the Senate, with progress made in the first mentioned joint resolution, and a request for leave to sit again;

And, on the question, Shall the committee of the whole Senate have leave to sit again on said joint resolution? it was decided in the negative;

And, on motion by Mr. Colman, the said joint resolutions were laid on the table.

And the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, JANUARY 9, 1828.

The Senate assembled.

Mr. Montgomery moved, that the Senate do now reconsider their vote of yesterday, authorizing or permitting the "Bill to provide for the summit level section of the Wabash canal, and the examination of the Maumee river," to be spread upon the Journals;

And on the question, Will the Senate reconsider their said vote?

It was decided in the negative.

Mr. Maxwell laid before the Senate, the petition of Joshua O. Howe and others, inhabitants of Monroe county, relative to a certain bridge over Bean Blossom creek; which petition was read;

And thereupon, Mr. Maxwell obtained leave to introduce a bill for the relief of Joseph Campbell;

Which bill was read a first time, and ordered for second reading to-morrow.

Mr. Clark, from the standing committee on Military Affairs, to whom the subject had been referred, now reported a joint resolution, authorizing the levy and collection of certain fines, for the benefit of the 8th regiment of Indiana militia; which joint resolution was read a first time, and ordered for second reading to-morrow.

Mr. Smiley obtained leave to introduce a bill, for opening and repairing public roads and highways;

Which bill was read twice, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

On motion by Mr. Blair,

Resolved, That the Judiciary committee be instructed to take into consideration, the justice and propriety of equalizing, as near as may be, the first and fourth judicial circuits, with leave to report thereon, by bill or otherwise.

On motion by Mr. Graham,

The bill providing for the improvement of the navigation of the White rivers, was now taken up, and, with the amendments made in committee, was read;

When Mr. Gregory moved, that the said bill be recommitted to a select committee, with leave to amend and report thereon; and after some debate on said motion,

Mr. Rariden moved, that the select committee so appointed, shall be instructed to amend said bill so as to appropriate the money to the improvement of White river, regardless of the constitutional barrier, which forbids the appropriation in this manner;

And on the question, Shall the bill be referred, with instructions as aforesaid?

It was decided in the negative.

Mr. Gregory then withdrew his motion to refer the said bill.

Mr. Graham then moved, to fill up the first blank in the bill with the name of "Joseph H. Vanmetre;" and,

On motion by Mr. Simonson,

The bill was referred to a select committee, to amend the bill in such manner as to make its various parts correspond with each other;

And Messrs. Milroy, Graham, Gregory, Fletcher and Watts, were appointed that committee.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The bill for printing and distributing the laws of the present session, was read a second time;

When Mr. Morgan moved to amend the bill, by striking out the third section of the bill, which reads in the following words:

Sec. 3. Each senator shall, and they are hereby required to furnish the clerks of the different counties, within their respective districts, with one copy of their Journals, for each election township within said district; one of which shall be handed over by him to the senior justice of the peace of said township, to be by them kept as a public document, and subject to the examination of any one that may apply for examination;

And on the question, Shall the said third section be stricken out?

It was decided in the affirmative, and the said section stricken out.

Mr. Gregory then moved to amend the said bill, by adding thereto the following, to-wit:

That the Secretary of State is hereby authorized and re-

quired to contract with the bookbinder in this place, to bind, in half binding and lettering, all the acts of the present General Assembly;

Which amendment was adopted.

The bill was then further amended, and ordered to be engrossed for third reading to-morrow.

The engrossed bill from the House of Representatives authorizing the inhabitants of Congressional township No. 11, north, range 9, west, to incorporate themselves according to the provisions of the act of 1824;

The engrossed bill from the House of Representatives, providing for the re-payment of certain monies to the county of Delaware; and,

The engrossed bill from the House of Representatives to extend the act entitled an act to provide for recording brands, ear marks, and for posting estrays, in the counties therein named, and for other purposes, approved January 24, 1827;

Were severally read a third time, and passed without amendment; and

Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, supplementary to an act, entitled an act for the appointment of county surveyors and their deputies, approved Jan. 30, 1824, as amended in Senate, was read a third time and passed;

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in said amendment.

The engrossed bill authorizing the court doing county business in Morgan county, to exempt the citizens of said county from paying ferriage; and the engrossed bill to suppress certain fraudulent practices;

Were severally read a third time and passed; and

Mr. Farnham was instructed to inform the House of Representatives of the passage of the two last mentioned bills, and request their concurrence therein.

The engrossed joint resolution from the House of Representatives, respecting the agency at Indianapolis, was read a third time;

And the further consideration thereof was indefinitely postponed.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act directing the mode of suing out and prosecuting writs of habeas corpus:

An act to revive an act entitled an act for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes in the year 1814: and also,

A joint resolution of the General Assembly, relative to the Western mail route, from Louisville in Kentucky to St. Louis in Missouri: and find the same truly enrolled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives, have passed bills of the following titles, to-wit:

An act to divorce Sarah Pettingell from her husband James Pettingell:

An act supplementary to an act entitled an act providing for the incorporation of towns, approved, 30th January, 1824, in aid of the Trustees and Corporation of New Albany:

An act to amend the act entitled an act to incorporate the town of Charlestown:

An act to amend the act concerning the Auditor of Public Accounts and Treasurer of State:

They have adopted a memorial and joint resolution on the subject of the National Road:

They have passed the engrossed bill from the Senate, entitled an act, to authorize the qualified voters of this state, to vote for and against a Convention for the revision of the Constitution of this state; without amendment:

They have passed the engrossed bill of the Senate, entitled an act, to amend an act entitled an act to regulate the Militia of the state of Indiana, approved, January 20th, 1824, with amendments:

In which four first named bills, the said memorial and joint resolution, and the amendments to the last named bill, the concurrence of the Senate is requested.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President.

They have appointed Messrs. Bassett and Craig a committee of free conference, to take into consideration the disagreeing votes of the two Houses, relative to the 1st amendment made by the Senate to the bill of the House of Representatives entitled an act to amend an act, entitled an act relative to crimes and punishments.

The engrossed bill from the House of Representatives sup-

plementary to an act, entitled an act providing for the incorporation of towns, approved, 30th January, 1824, in aid of the Trustees and Corporation of New Albany;

The engrossed bill from the House of Representatives to amend the act entitled an act, to incorporate the town of Charlestown;

The engrossed bill from the House of Representatives to amend the act concerning the Auditor of Public Accounts and Treasurer of State, were severally read a first time in Senate, and severally ordered for second reading to-morrow.

The engrossed memorial and joint resolution on the subject of the National road, from the House of Representatives, was twice read and ordered for third reading to-morrow.

The engrossed bill from the House of Representatives, to divorce Sarah Pettingell, from her husband James Pettingell, was twice read in Senate by common consent, and ordered for third reading to-morrow.

The sundry enrolled bills reported as having been signed by the Speaker of the House of Representatives, were now signed by the President of the Senate, and handed to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The Senate now proceeded to consider the amendments made by the House of Representatives to the engrossed bill of the Senate, entitled an act to amend an act, entitled an act to regulate the Militia of the state of Indiana, approved, January 20th, 1824; when,

Mr. Rariden proposed to amend the amendment made by the House of Representatives, in the 10th section, by striking out the word "October," and insert in lieu thereof the words "second Saturday in November," which amendment to the amendment was adopted.

Mr. Morgan then proposed to amend the said amendment made by the House of Representatives, to said bill in the 10th section, by adding thereto the following, to-wit: "at which muster it shall be the duty of the captain or commanding officer of such company to give notice to his company of the times and places of holding all musters, and courts of assessment for that year, where it may be the duty of any of his company to attend, which shall be all the notice required to be given;" which proposed amendment to the amendment was adopted.

Mr. Gregory then moved further to amend the amendment made by the House of Representatives in the said 10th section, by adding thereto, after the word "year," in the line

the following words, to-wit: "one battalion muster in each regiment on the 4th Saturday in May;"

And on the question, shall the said amendment be so amended? The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Daniel, Givens, Gregory and Simonsen—4.

And those who voted in the negative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Ewing, Fletcher, Graham, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Smiley and Watts—17.

So it was decided in the negative, and the said amendment rejected; and,

On motion by Mr. Morgan,

Ordered, That the Senate concur in the first amendment made by the House of Representatives to the said bill, except that part which strikes out the first section of said bill.

Sundry other amendments were proposed to the amendments made by the House of Representatives, many of which were withdrawn, and others retained by the movers, with a view of offering them to-morrow morning.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that

The House of Representatives have passed the bill of the Senate, entitled "an act attaching a certain territory to the counties therein named," without amendment.

They have passed bills of the following titles, viz:

An act supplemental to the act, entitled an act to establish a board of Trustees for the promotion of schools and education in Clark's grant;

An act to amend an act entitled an act, authorizing the writ of replevin, approved, December 24, 1821;

An act making general appropriations for the year 1823;

And, an act to establish a state road from Shelbyville to intersect the Madison state road in the county of Jennings.

In which four last named bills the concurrence of the Senate is requested.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, JANUARY 10, 1828:

The Senate assembled.

Mr. Fletcher from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to incorporate the town of Corydon, in the county of Harrison; and,

An act authorizing the inhabitants of Congressional township No. 11, north, range No. 9, west, to incorporate themselves according to the provisions of the act of 1824; and find the same truly enrolled.

Mr. Lane, from the joint committee of enrolled bills, now reported, that they did on this day present to his excellency the Governor, for his approval and signature,

An act to revive an act, entitled an act, for the relief of such persons as have suffered or may hereafter suffer by the destruction of the records of the county of Knox, which were consumed by fire at Vincennes, in the year 1814, passed, 7th September, 1814.

An act for the benefit of the devisees of Thomas Watts, deceased.

An act to authorize the board of Justices of Wayne county to sell a part of the public square in the town of Centerville.

An act to amend an act entitled an act, to establish a state Library, approved, February 11th, 1825.

And, a joint resolution relative to the procuring of a complete set of the Journals of Congress, and other public documents.

Mr. Graham, from the joint committee of free conference, on the subject, now made the following report, to-wit:

The joint committee of free conference to whom was referred the subject of the difference between the two Houses, relative to the amendment made by the Senate to the bill from the House of Representatives, "entitled an act, to amend an act relative to crimes and punishments," to which amendment the House of Representatives have disagreed; the committee agree that the House of Representatives recede from their objections to said amendment, Mr. Bassett, one of the committee disenting therefrom;

And on the question, will the Senate concur in said report?

The ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Clark, Colman, Cotton, Daniel, Ewing, Graham, Gregory, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—14.

Those who voted in the negative were,

Messrs. Givens, Lane, Milroy, Simonson and Smiley—5.

So it was decided in the affirmative, and the said report concurred in; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

On motion by Mr. Gregory,

Resolved, That the Secretary of the Senate be requested to call on the Secretary of State, for the report of the Surveyor General respecting the survey of the line between the state of Indiana and the Michigan territory.

The Senate now again resumed the consideration of the amendments made by the House of Representatives to the engrossed bill of the Senate "entitled an act to amend an act entitled an act, to regulate the Militia of the state of Indiana, approved, January 20th, 1824;" when,

Mr. Rariden moved that the Senate do now proceed to reconsider their vote of yesterday altering the times of holding the regimental musters from the Saturday in October, to the second Saturday in November, and the said vote having been reconsidered, and the question again recurring, shall the amendment made in Senate to the amendment made by the House of Representatives, which was by striking out the word "October," and inserting in lieu thereof the words, "second Saturday in November," be adopted?

Which amendment went to establish regimental musters on the second Saturday in November.

On this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Blair, Colman, Graham, Lane, Maxwell, Montgomery, Morgan, Oliver and Rariden—9.

And those who voted in the negative, were,

Messrs. Canby, Clark, Cotton, Daniel, Ewing, Fletcher, Givens, Gregory, Milroy, Simonson, Smiley and Watts—12.

So it was decided in the negative, and the said proposed amendment rejected.

Mr. Milroy moved to amend the said amendment by adding thereto the following, to-wit: "that so much of the act to which this is an amendment, which makes it the duty of Major and

Brigadier Generals to attend regimental musters is hereby repealed.

And on the question, shall this amendment to the amendment made by the House of Representatives, be adopted?

It was decided in the negative.

Mr. Morgan then proposed the following as an amendment to the amendment made by the House of Representatives, to said bill, in the 10th section thereof, to-wit:

"The muster of the oldest regiment in each brigade shall be on the first Monday in October, and that of the second oldest on the succeeding Tuesday, and of the third on the succeeding Wednesday, and so on in succession."

And on the question, shall this amendment be adopted? It was decided in the affirmative.

And on motion by Mr. Morgan,

The first amendment proposed by the House of Representatives, to the said bill was concurred in, with an amendment, which amendment to the proposed amendment of the House of Representatives, was by adding thereto, or retaining the first section of the bill from the Senate.

Mr. Fletcher proposed a further amendment to said bill, which was by fixing the first company muster in each year, on the second Saturday in April; which proposed amendment was adopted, and on motion, ordered that,

Mr. Farnham inform the House of Representatives, that the Senate concur in the amendments made by the House of Representatives to the said bill, with amendments, in which the concurrence of that House is requested.

The engrossed bill from the House of Representatives, supplemental to the act entitled an act, to establish a board of Trustees for the promotion of schools and education in Clark's Grant:

The engrossed bill from the House of Representatives, to amend an act entitled an act, authorizing the writ of replevin, approved, December 24th, 1821:

The engrossed bill from the House of Representatives making general appropriations for the year 1828: and,

The engrossed bill from the House of Representatives to establish a state road from Shelbyville, to intersect the Madison state road in the county of Jennings; were severally read a first time in Senate, and severally ordered for second reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have passed the following engrossed bills of the Senate, entitled acts, viz:

An act making further provision for the sale of the Seminary townships of land in the counties of Gibson and Monroe, and for other purposes; and,

An act to amend an act entitled an act to provide for the partition of real estate, approved, January 2, 1824; both without amendment.

They refuse to concur in the report of the joint committee of free conference, appointed to consider the subject matter of difference between the two Houses, relative to the first amendment proposed by the Senate, to the bill of the House of Representatives, entitled "an act to amend an act entitled an act, relative to crimes and punishments," and adhere to their disagreement to the said proposed amendment.

The bill for the relief of Joseph Campbell, was read a second time, when,

Mr. Clark moved that the further consideration of said bill be indefinitely postponed:

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Clark and Ewing—2.

And those who voted in the negative, were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Simonson, Smiley and Watts—13.

So it was decided in the negative; and the said bill ordered to be engrossed for third reading to-morrow.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The joint resolution authorizing the levy and collection of certain fines, for the benefit of the 8th regiment of Indiana Militia was read a second time, when,

Mr. Fletcher moved to postpone indefinitely the further consideration of the said joint resolution:

And on the question, shall the further consideration of this resolution be indefinitely postponed?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Canby, Cotton, Ewing, Fletcher, Graham, Gregory,

Lane, Maxwell, Montgomery, Oliver, Simonson, Smiley and Watts—13.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Daniel, Givens, Milroy, Morgan and Rariden—8.

So it was decided in the affirmative, and the said resolution indefinitely postponed.

The engrossed bill from the House of Representatives, supplementary to an act, entitled an act, providing for the incorporation of towns, approved, 30th January, 1824, in aid of the Trustees and Corporation of New Albany, was read a second time, when,

Mr. Ewing proposed to amend the said bill, by adding thereto the following, to-wit: "The Trustees of each and every other corporate town in this state, shall have and enjoy in every particular the same privileges and rights, granted by this act to the Trustees of the town of New Albany, and its enactments shall be taken and viewed as supplemental to the general and specific acts of incorporation now in force, in each and every borough of the state, if the Trustees thereof think proper to act upon and adopt the same;"

And on the question, shall the bill be so amended? It was decided in the negative; and the said bill was ordered for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have passed an engrossed bill of the following title, viz:

An act to dissolve the banns of matrimony between John C. Brown and Polly Brown his wife;" in which the concurrence of the Senate is requested.

The Speaker of the House of Representatives, having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said last mentioned enrolled bills being now signed by the President of the Senate, were handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The engrossed bill from the House of Representatives, to dissolve the banns of matrimony between John C. Brown and Polly Brown his wife, was twice read, ordered for third reading to-morrow.

The engrossed bill from the House of Representatives to amend the act entitled an act to incorporate the town of Charles-town, and,

The engrossed bill from the House of Representatives, to

amend the act concerning the Auditor of Public Accounts and Treasurer of State, were severally read a second time and severally ordered for third reading to-morrow.

The engrossed memorial and joint resolution on the subject of the National Road, from the House of Representatives, was read a third time and passed without amendment:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, to divorce Sarah Pettingell from her husband James Pettingell, was read a third time, and on the question shall this bill pass?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Simonson and Smiley—18.

And those who voted in the negative, were,

Messrs. Ewing, Rariden and Watts—3.

So it was decided in the affirmative, and the said bill passed:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate now according to order, resolved itself into committee of the whole, on the bill for the formation of certain counties therein named;

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made therein; and a request for leave to sit again thereon; which leave was granted.

And the Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, JANUARY 11, 1828.

The Senate assembled.

Mr. Rariden laid before the Senate the petition of Nathan Overman, praying a divorce from his wife, Eleanor Overman;

Which was read—and on leave being granted,

Mr. Rariden introduced a bill to divorce Nathan Overman from his wife, Eleanor Overman; which was twice read, when

Mr. Watts moved,

That the further consideration of this bill be indefinitely postponed;

And on the question, Shall the further consideration of this bill be indefinitely postponed?

It was decided in the negative:

And the said bill was ordered to be engrossed for third reading to-morrow.

Mr. Gregory laid before the Senate, the petition of John A. Morne and others, inhabitants of Shelby, praying an act to legalize the proceedings of the board of county commissioners;

Which was read, and, on leave being granted,

Mr. Gregory introduced a bill legalizing the proceedings of the board of county commissioners of the county of Shelby;

Which bill was read, and ordered for second reading to-morrow.

Mr. Clark laid before the Senate, the petition of C. B. Hayler and sixty others, inhabitants of Salem, in Washington county, praying a special act of incorporation for said town; and also the remonstrance of John G. Henderson and sixty others, inhabitants of said town of Salem, against any special law for the incorporation of said town;

Which petition and remonstrance were read, and referred to a select committee to report thereon by bill or otherwise;

And Messrs. Lane, Graham and Simonson, were appointed that committee.

Mr. Gregory laid before the Senate the petition of Lewie Morgan and others, inhabitants of Shelby county, praying the further extension of the navigation of Sugar creek;

Which petition was read, and referred to a select committee, composed of

Messrs. Gregory, Milroy and Fletcher, to report thereon by bill or otherwise.

Mr. Gregory, from the select committee on so much of the Governor's Message as relates to the public domain, now reported a memorial to the Congress of the United States, and joint resolution, on the subject of the public domain; which was read a first time in Senate, when

Mr. Montgomery moved to reject the said memorial and joint resolution;

And on the question, Shall this joint memorial and resolution be rejected? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Fletcher,

Givens, Graham, Lane, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—15.

And those who voted in the negative, were,
Messrs. Clark, Ewing, Gregory, Milroy, Simmonson and Smiley—6.

So it was decided in the affirmative; and the said joint memorial and resolution rejected.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following engrossed with the enrolled bills, entitled acts, to-wit:

An act to provide for the repayment of certain monies to the county of Delaware;

An act to extend an act, entitled an act to provide for recording brands, ear marks, and for posting estrays in the counties therein named, and for other purposes, approved January 24, 1827; and

An act to authorize the qualified voters of this state, to vote for or against a convention for a revision of the constitution of this state;

And find the same truly enrolled.

Mr. Ewing, from the select committee to whom was referred a bill, to provide for the settlement of the accounts of the commissioners of certain state roads, with instructions, &c. now reported—

A bill in addition to an act, entitled an act authorizing the laying off certain state roads, and appropriating \$100,000 of the 3 per cent. fund, for opening the same, and the several acts amendatory thereto;

Which report was read, and amended on motion by Mr. Graham, by striking out so much thereof as appoints the presidents of the present several boards of road commissioners, as sole commissioners of their several roads;

And the said report, as amended, was committed to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that

The House of Representatives have passed bills of the Senate of the following titles, viz:

An act to amend the law regulating grist mills and millers;

An act for the benefit of Henry Markle; and

An act to incorporate the Indianapolis Steam Mill Company;

The first named bill *with*, and the two latter *without* amendments.

They have passed original bills of the following titles, viz:

An act requiring certain duties to be performed by the Treasurer and Agent of State; and

An act to amend an act, entitled an act to provide for the election of electors of President and Vice President of the United States.

They have also received official information, that His Excellency the Governor did, on the 23th ult. approve and sign the following enrolled bills, entitled acts, viz:

An act to amend the act for carrying the law into effect in new counties;

An act to amend the act regulating the admission and practice of attorneys and counsellors at law;

And on the 24th of same, "An act for the relief of Thomas Wyatt."

Also, on the 5th inst. the following, viz:

An act respecting the state and county revenue of the county of Clay, for the year 1826;

An act relative to the Knox county poor house;

An act establishing a canal to connect the navigable waters of the Wabash river with those of Lake Erie;

An act attaching a portion of vacant territory, lying adjoining the county of Floyd to said county;

Also, on the 7th instant:

An act supplemental to an act, entitled an act changing the mode of doing county business in certain counties therein named;

An act to amend an act, entitled an act respecting apprentices;

An act to amend an act, entitled an act for the benefit of persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire, in the court house at Lawrenceburgh, on the morning of the 6th of March, 1826;

An act authorizing the leasing of Royse's Lick and Rock Lick reserves, in the county of Washington; and

An act for the formation of the county of Carroll;

All of which originated in the House of Representatives.

The Senate now proceeded to consider the amendments made by the House of Representatives, to the engrossed bill of the Senate, entitled "An act to amend the law regulating grist mills and millers;"

And the said proposed amendments having been read and considered, were concurred in;

And Mr. Farnham was instructed to inform the House of Representatives of the concurrence of the Senate in said amendment.

The engrossed bill from the House of Representatives, requiring certain duties to be performed by the Treasurer and Agent of State; and

The engrossed bill from the House of Representatives, to amend an act, entitled an act to provide for the election of electors of President and Vice President of the United States;

Were severally read a first time in Senate, and severally ordered for second reading to-morrow.

Mr. Blair moved, that the Senate adhere to their amendment made to the engrossed bill from the House of Representatives, entitled "An act to amend an act relative to crimes and punishments; when

Mr. Graham objected to this motion, as being out of order, inasmuch as the difference relative to said amendment, had been referred to a joint committee of free conference; which committee had reported, that they had agreed that the House of Representatives should recede from their objection to the amendment made in Senate to said bill, in which report the Senate had concurred, and an order made in Senate that the House of Representatives should be informed thereof, which information had been communicated to that House accordingly.

Mr. President decided Mr. Blair's motion for adherence to be in order; from which decision of the President, Mr. Graham took an appeal to the Senate:

And previous to any decision on said appeal, the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate again resumed the consideration of the appeal taken in the forenoon, by Mr. Graham, from the decision of the President, on the motion made by Mr. Blair to adhere to their amendment made to the bill from the House of Representatives, entitled an act to amend an act relative to crimes and punishments;

And on the question, Was the decision of the President correct? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,
Messrs. Clark, Colman, Cotton, Daniel, Fletcher, Gregory,
Morgan, Oliver, Rariden and Watts—10.

And those who voted in the negative were,
Messrs. Blair, Ewing, Givens, Graham, Lane, Maxwell, Milroy, Montgomery, Simonson and Smiley—10.

So the Senate being equally divided, the President decided in the affirmative; and the decision of the President on the question aforesaid was sustained.

On motion by Mr. Gregory,

The engrossed joint resolution relative to the northern boundary line of the state of Indiana, from the House of Representatives, was taken up, read a third time, and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said joint resolution, without amendment.

Mr. John Wick now informed the Senate, that he is instructed by the Governor, to inform the Senate, that

An act for the benefit of the devisees of Thomas Watts, deceased;

An act to amend an act, entitled an act to establish a state library, approved February 11, 1825;

A joint resolution relative to the procuring of a complete set of the Journals of Congress, and other public documents;

Have, on this day, January 11, received his approbation and signature, and are now on file in the office of the Secretary of State.

Mr. Lane, from the joint committee of enrolled bills, now reported, that they did on this day present to His Excellency the Governor, for his approval and signature, the following joint resolution and bills, to-wit:

A joint resolution of the General Assembly, relative to the western mail route from Louisville, in Kentucky, to St. Louis, in Missouri;

An act to incorporate the town of Corydon, in Harrison county;

An act directing the mode of suing out and prosecuting writs of habeas corpus;

An act authorizing the inhabitants of congressional townships No. 11 north, range 9 west, to incorporate themselves according to the provisions of the act of 1824.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives, have passed bills of the following titles, to-wit:

An act respecting a county seminary, and the seminary funds of the county of Switzerland; and

An act to authorize the leasing of a part of section 16, in township No. 15, north of range No. 7 east, in Hancock county;

In which the concurrence of the Senate is requested:

And that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate, for the signature of their President:

They insist on so much of the first amendment proposed by them to the bill of the Senate, entitled an act to amend an act entitled an act to regulate the militia of the state of Indiana, approved January 20, 1824, as strikes out the first section of said bill, and to which part of said amendment, the Senate have disagreed;

They recede from the third amendment proposed by them to said bill, which was striking out the second section thereof, and to which the Senate have also disagreed;

They disagree to the first and second amendments, proposed by the Senate to the eighth amendment made by them to said bill;

And concur in the third amendment proposed by the Senate, to their said eighth amendment.

And the said several enrolled bills, reported as having been signed by the Speaker of the House of Representatives, were now signed by the President of the Senate, and handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

On motion by Mr. Morgan,

The Senate resolved itself into committee of the whole Senate, on the bill to establish a loan office for the state of Indiana, Mr. Clark in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate with sundry amendments; and previous to taking any question on concurrence in said amendments,

The Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, JANUARY 12, 1823.

The Senate assembled.

The Senate again resumed the consideration of the bill to establish a Loan Office for the state of Indiana, and the amendments yesterday made, in committee of the whole Senate to the said bill, were now read in Senate and concurred in.

Mr. Ewing then moved to add the following section, as an amendment to said bill, to-wit:

"Section That no undue influence may be created by this act, the loans authorized shall, so far as may seem proper under its enactments, be extended in an equal degree to citizens of each and every county of the state, according to the extent, population and revenue thereof, provided such citizens make application for the same within four weeks after the Loan Office be in operation."

And on the question, shall this amendment be adopted?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Clark and Ewing—2.

And those who voted in the negative were,

Messrs. Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—17.

So it was decided in the negative, and the said amendment was rejected.

Mr. Ewing then moved that this bill be recommitted to a select committee, with instructions so to amend the same, that the state Seminary fund shall be devoted to establish and sustain township schools throughout the state, so far as the Congressional townships pledge their lands for the redemption of the same, and the payment of the interest thereon.

And on the question, shall this amendment be adopted? It was decided in the negative; two members only voting in favor of it.

The bill was then ordered to be engrossed for third reading on Monday next.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to divorce Sarah Pettengill from her husband James Pettengill.

An act to amend an act, entitled an act to provide for the partition of real estate, approved. January 2d. 1824.

An act attaching a certain territory to the counties therein named.

An act making further provision for the sale of the Seminary townships of land in the counties of Gibson and Monroe, and for other purposes.

And also, a memorial and joint resolution on the subject of the National Road; and find the same truly enrolled.

The engrossed bill from the House of Representatives, respecting a county Seminary, and the Seminary funds of the county of Switzerland, was twice read by common consent, and ordered for third reading on Monday next.

The engrossed bill to authorize the leasing of a part of section 16, in township No. 15, north of range No. 7, east, in the county of Hancock, from the House of Representatives, was twice read, committed to a committee of the whole Senate, and made the order of the day for Monday next.

Mr. Lane, from the joint committee on enrolled bills, reported, they did on this day present to his excellency the Governor, for his approval and signature, the following bills, to-wit:

An act to authorize the qualified voters of this state, to vote for or against a convention, for a revision of the Constitution of this state;

An act supplemental to an act, entitled an act for the appointment of county Surveyors and their deputies;

An act providing for the re-payment of certain monies to the county of Delaware;

And, an act to extend an act, entitled an act to provide for recording brands, ear marks and for posting estrays in the counties therein named, and for other purposes, approved, January the 24th, 1827.

The Senate now proceeded to consider the amendments made by the House of Representatives, to the engrossed bill of the Senate, to amend an act entitled an act to regulate the Militia of the state of Indiana, and which were disagreed to by the Senate:

And on motion, the Senate recede from their objections to all the amendments made by the House of Representatives to said bill, except so much thereof, as struck out the section requiring company officers at their April company musters, to notify the persons belonging to their respective companies, of the different musters and courts of assessment of fines, to be held during that year; on which amendment the Senate insist:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, sup-

plemental to the act entitled an act to establish a board of trustees for the promotion of schools and education in Clark's grant, was read a second time, and ordered for third reading on Monday next;

The engrossed bill from the House of Representatives, to amend an act entitled an act authorizing the writ of replevin, approved, December 24, 1821; and,

The engrossed bill from the House of Representatives, making general appropriations for the year 1823; were severally read a second time, severally committed to committees of the whole Senate, and made the orders of the day for Monday next.

The engrossed bill from the House of Representatives to establish a state road from Shelbyville, to intersect the Madison state road in the county of Jennings, was read a second time and ordered for third reading on Monday next.

The bill legalizing the proceedings of the board of county commissioners, of the county of Shelby, was read a second time and ordered to be engrossed for third reading on Monday next.

The engrossed bill from the House of Representatives, requiring certain duties to be performed by the Treasurer and Agent of State, was read a second time;

And on motion, the further consideration thereof, was indefinitely postponed.

The engrossed bill from the House of Representatives to amend an act, entitled an act to provide for the election of electors of President and Vice President of the United States, was read a second time, committed to a committee of the whole Senate, and made the order of the day for Monday next.

The engrossed bill from the House of Representatives supplementary to an act, entitled an act providing for the incorporation of towns, approved, January 20th, 1824, in aid of the Trustees and Corporation of New Albany;

The engrossed bill to amend the act, concerning the Auditor of public accounts and Treasurer of state;

The engrossed bill from the House of Representatives to amend an act, entitled an act, to incorporate the town of Charlestown;

The engrossed bill from the House of Representatives to dissolve the banus of matrimony between John C. Brown, and Polly Brown his wife, were severally read a third time, and passed, without amendment:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill of the Senate, for the relief of Joseph Campbell, was read a third time, and passed:

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill of the Senate, to divorce Nathan Overman from his wife Eleanor Overman, was read a third time, and ordered to be laid on the table.

The Senate according to order again resolved itself into committee of the whole, on the bill for the formation of certain counties therein named; Mr. Montgomery in the chair;

When after some time spent thereon, the committee rose;

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with sundry amendments, which were read and concurred in; and the bill ordered to be engrossed for third reading on Monday next.

And the Senate adjourned to Monday morning next, at nine o'clock.

MONDAY, JANUARY 14, 1828.

The Senate assembled.

Mr. Gregory, from the select committee to whom had been referred the petition of Lewis Morgan and others, now reported, a bill supplemental to the act, declaring Blue river a public highway;

Which bill was read in Senate, and ordered for second reading to-morrow.

Mr. Milroy, from the select committee to whom the subject had been committed, now reported, a bill providing for the improvement of the navigation of the White rivers, with sundry amendments; which was read, amended by consent and the report concurred in:

And the said report was committed to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. John Wick, now informed the Senate, that he was instructed by his excellency the Governor, to announce to the Senate, that a joint resolution of the General Assembly relative to the Western Mail route, from Louisville in Kentucky to St. Louis in Missouri, did on the 12th inst. receive his approval and signature, and is now on file in the office of the Secretary of State.

Mr. Simonson, obtained leave to introduce a bill to divorce Nancy Mattocks from her husband David T. Mattocks; which bill was twice read by consent, and ordered to be engrossed for third reading to-morrow.

The engrossed bill to divorce Nathan Overman from his wife Eleanor Overman, was read a third time, when,

Mr. Watts moved to postpone indefinitely the further consideration of said bill:

And on the question, shall the further consideration of this bill be indefinitely postponed?

The ayes and noes being demanded by two members, those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Montgomery, Smiley and Watts—16.

And those who voted in the negative, were,

Messrs. Morgan, Oliver, Rariden and Simonson—4.

So it was decided in the affirmative, and the further consideration of the said bill indefinitely postponed.

The engrossed bill from the House of Representatives respecting a county Seminary, and the Seminary funds of the county of Switzerland;

The engrossed bill from the House of Representatives, supplemental to an act to establish a board of trustees, for the promotion of schools and education in Clark's grant; and,

The engrossed bill from the House of Representatives, to establish a state road from Shelbyville, to intersect the Madison state road in the county of Jennings, were severally read a third time, and passed without amendment;

And the Secretary was instructed to inform the House of Representatives thereof.

The engrossed bill to establish a Loan Office for the state of Indiana, was read a third time, and, on the question, shall this bill pass?

The ayes and noes being demanded by two members, those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—19.

And those who voted in the negative, were,

Messrs. Clark and Ewing—2.

So it was decided in the affirmative, and the said bill passed,

And the Secretary was instructed to inform the House of

Representatives of the passage of said bill, and request their concurrence therein. Whereupon:

Mr. Ewing gave notice that he would enter his protest against the passage of the said bill.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have adopted the following resolution, viz:

Resolved, That the Senate be informed, that the House of Representatives are now ready to enter into the elections ordered for this day; and that seats are prepared on the right of the Speaker's chair, for the accommodation of the Senate.

The House of Representatives have on their part appointed Mr. De Pauw, teller.

On motion by Mr. Maxwell,

Resolved, That the House of Representatives be informed that the Senate are now ready to proceed to the election of an Agent of State, for the town of Indianapolis, and also three Canal Commissioners; and that Mr. Simonson is appointed teller on the part of the Senate.

And the Secretary of the Senate was ordered to communicate that information to the House of Representatives.

The Senate then, conformably to previous arrangement, proceeded to the Representative Hall, and took their seats on the right of the Speaker's chair; when,

Both Houses proceeded by joint ballott to elect an Agent of State for the town of Indianapolis, and on counting the ballots, Benjamin I. Blythe was declared to be duly elected Agent of State, for the town of Indianapolis, for three years, from the twenty-fourth day of this present month of January; which is ordered to be certified to the Governor accordingly.

The two Houses then proceeded to elect three canal commissioners;

When, after balloting five several times, Samuel Hanna, Robert John and David Burr, were declared to be duly elected canal commissioners, for the period of and until their successors shall be chosen and qualified;

The first named gentleman being elected on the second ballot, the second named gentleman on the third ballot, and the last named gentleman on the fifth ballot;

Of which elections the above several named gentlemen are to receive proper vouchers.

And the Senate adjourned to 3 o'clock P. M.

Three o'clock, P. M.

The Senate assembled.

The engrossed bill designating the boundaries of the counties therein named, and for other purposes; and

The engrossed bill legalizing the proceedings of the board of county commissioners of Shelby county;

Were severally read a third time and passed, and the Secretary of the Senaté was instructed to inform the House of Representatives of the passage of said bill, and request their concurrence therein.

The Senate according to order, resolved itself into committee of the whole, on the bill to encourage manufactures, Mr. Milroy in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, without amendment;

And the said bill was ordered to be engrossed for third reading to-morrow.

The Senate, according to order, resolved itself into committee of the whole, on the engrossed bill from the House of Representatives, to incorporate the Montezuma Agricultural and Manufacturing Association, Mr. Morgan in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the said bill to the Senate without amendment;

And the said bill was ordered for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act supplementary to an act, entitled an act providing for the incorporation of towns, approved 30th January, 1824, in aid of the trustees and corporation of the town of New Albany;

An act to amend the act to incorporate the town of Charlestown;

An act to dissolve the banns of matrimony between John C. Brown and Polly Brown his wife;

An act to amend the act concerning the Auditor of public accounts and Treasurer of State;

An act to amend the law regulating grist mills and millers;

An act to incorporate the Indianapolis Steam Mill Company; and

An act for the benefit of Henry Markle;

And also, a joint resolution relative to the northern boundary of the state of Indiana;

And find the same truly enrolled.

The Senate, according to order, resolved itself into committee of the whole Senate, on the bill to regulate the licensure of physicians, and to authorize the formation of societies for the advancement of medical science, Mr. Rariden in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made thereon, and a request for leave to sit again; and, by unanimous consent of the Senate, leave was given to the committee of the whole to sit again on said bill.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the bill of the Senate, entitled

An act to establish a state road from Leavenworth, via Bono, to Indianapolis, with amendments;

They have passed a bill, entitled "An act amendatory of the act, entitled an act for the relief of the poor, approved January 30, 1824;"

In which last named bill, together with the amendments to the first named bill, the concurrence of the Senate is requested; and that

The Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate, for the signature of their President:

And the last mentioned enrolled bills having been signed by the President of the Senate, were handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The engrossed bill from the House of Representatives, amendatory of the act, entitled an act for the relief of the poor, approved January 30, 1824, was read in Senate a first time, and ordered for second reading to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, JANUARY 15, 1828.

The Senate assembled.

Mr. Clark laid before the Senate the petition of Elizabeth Stout, praying a divorce from her husband Reuben Stout, for reasons therein set forth; which petition was read, and on leave being granted,

Mr. Clark introduced a bill to divorce Elizabeth Stout from her husband Reuben Stout;

Which was read a first time and ordered for second reading to-morrow.

Mr. Rariden laid before the Senate, the petition of Daniel Reid and other citizens of Richmond, in Wayne county, praying an amendment to the law authorizing the incorporation of towns; which was read, and on leave being granted,

Mr. Rariden introduced a bill to amend the act, entitled an act providing for the incorporation of towns, approved, January 30th, 1824; which bill was twice read, and committed for to-morrow.

On motion by Mr. Graham,

The bill to establish a state road from Levenworth, via Bono to Indianapolis, was now taken up, the amendments made to the same in the House of Representatives were amended, and concurred in.

The bill was then amended in the title, so as to read "a bill to establish a state road from Levenworth via Bono to Indianapolis, and for other purposes:"

And Mr. Farnham was instructed to inform the House of Representatives of the concurrence of the Senate in their amendments, with an amendment, in which the concurrence of that House is requested.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the bill of the Senate, entitled,

An act to provide for printing and distributing the laws and journals of the present session, without amendment.

They have passed original bills of the following titles, viz:

An act to amend the several acts, regulating the Judicial Circuits, and fixing the times of holding Courts therein;

And an act attaching a part of the county of Green to the county of Sullivan; in both of which the concurrence of the Senate is requested.

They recede from their disagreement to the second amend-

ment made by the Senate, to the eighth amendment proposed by them, to the bill of the Senate, entitled "an act to amend an act entitled an act, to regulate the Militia of the state of Indiana, approved, January 20th, 1824; and they recede from their disagreement to so much of the first amendment proposed by the Senate to their said eighth amendment, as fixes the times of holding company musters on the 2d Saturday in April, in each and every year."

The engrossed bill from the House of Representatives, to amend the several acts regulating the Judicial Circuits, and fixing the times of holding Courts therein, was twice read, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives, attaching a part of the county of Green to the county of Sullivan, was twice read and laid on the table.

Mr. Lane, from the joint committee of enrolled bills, reported, that they did on this day present to His Excellency the Governor, for his approval and signature, the following joint resolution and acts, to-wit:

A memorial and joint resolution on the subject of the national road:

An act to divorce Sarah Pettengill from her husband James Pettengill:

An act to amend an act, entitled an act to provide for the partition of real estate, approved, January 2d, 1824:

An act attaching a certain territory to the counties therein named:

An act making further provision for the sale of the Seminary townships of land in the counties of Gibson and Monroe, and for other purposes.

Mr. Lane from the select committee to whom the subject had been referred, now reported, that they have taken under consideration the petition and remonstrance of sundry citizens of the town of Salem, in the county of Washington; and are of opinion that it is inexpedient under all the circumstances to legislate thereon; and the said report was read and concurred in.

The bill supplemental to the act, declaring Blue river a public highway, was read a second time, and ordered to be engrossed for third reading to-morrow.

The engrossed bill from the House of Representatives amendatory of the act entitled an act for the relief of the poor, approved, January 30th, 1824, was read a second time and ordered for third reading to-morrow.

The following communication was received from the Governor, to-wit:

EXECUTIVE DEPARTMENT,
Indianapolis, Jan. 15, 1828. }

HON. JOHN H. THOMPSON.

Sir: The undersigned feels it his duty to lay before the Legislature, the enclosed letter, and other documents accompanying it, which he had the honor to receive, by the last mail, from T. W. Powell, a respectable gentleman of Ohio.

The undersigned does not feel prepared, at this time, to recommend any particular course, in relation to the subject of communication aforesaid, as we yet remain unofficially informed of the passage of the bill before the Ohio Legislature, herewith enclosed, "To incorporate the Maumee Canal Company." Should the bill now submitted become a law, you will perceive that it authorizes any state to subscribe stock to aid the company; and Mr. Powell intimates to me, that the land granted to Indiana, lying in Ohio, or other assistance, will be expected from the state of Indiana, such as a subscription of stock, to secure the completion of the work. Having had my feelings enlisted in favor of the whole work, from the mouth of Tippecanoe to Lake Erie, it affords me great satisfaction that the enterprising and liberal minded politicians of Ohio, feel disposed rather to *encourage* than obstruct this grand commercial thoroughfare. If any step is taken by Indiana, it is evident that a subscription of stock, equal to the amount that the land in Ohio will sell for, is the correct policy: that course will be like putting so much money at interest, besides securing to us a voice in regulating the tolls in that state—to grant the land would be yielding an immense capital, as well as the power to protect the interest of our own people, in their passage through the channel. The value of that part of this canal which lies in Indiana, will depend much upon the reasonableness of the tribute which may be exacted by the proposed company. If the General Assembly entertain different views, it is my wish that they may express them; for the views of the state will control the character of my correspondence with the authorities of the state of Ohio.

I would respectfully recommend to the Legislature, the propriety of laying down the outlines of the policy they intend to pursue.

Very respectfully,

Your obedient servant,

J. BROWN RAY.

And the said communication was read, and, with the accompanying documents, referred to the committee on canals and internal improvement.

The engrossed bill from the House of Representatives, to incorporate the Montezuma Agricultural and domestic Manufacturing Association, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill to divorce Nancy Maddox from her husband, David T. Maddox, was read a third time;

And on the question, Shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Fletcher, Givens, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver and Simmonson—15.

And those who voted in the negative, were,

Messrs. Ewing, Graham, Rariden, Smiley and Watts—5.

So it was decided in the affirmative, and the said bill passed;

And Mr. Secretary was instructed to inform the House of Representatives thereof, and request their concurrence therein.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill to encourage manufactures, was read a third time, and on the question, Shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Clark, Colman, Ewing, Milroy and Oliver—6.

And those who voted in the negative were,

Messrs. Blair, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Rariden Simmonson, Smiley and Watts—15.

So it was decided in the negative, and the said bill rejected.

The Senate again resolved itself into committee of the whole, on the bill to regulate the licensure of physicians, and to authorize the formation of societies for the advancement of medical science, Mr. Rariden in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with a request for concurrence therein; and the first amendment being read and considered, was con-

curred in; and on the question, Will the Senate concur in the second amendment made in committee of the whole on said bill? which was by striking out the 6th section thereof, and inserting in lieu thereof a section in the following words, to-wit:

No person, after the taking effect of this act, except persons now resident practitioners of physic or surgery in this state, shall recover any thing for the exercise of medical skill or counsel, until they obtain a license under this law.

And on this question, Shall this amendment be adopted? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Blair, Canby, Colman, Cotton, Fletcher, Maxwell, Montgomery, Morgan, Oliver, Rariden, Simonson & Watts—12.

And those who voted in the negative, were,

Messrs. Clark, Daniel, Ewing, Givens, Graham, Gregory, Milroy and Smiley—3.

So it was decided in the affirmative, and the said amendment adopted.

The word "licensure" in the title was stricken out, and the word "licensing" inserted by consent.

The bill as amended was then ordered to be engrossed for third reading to-morrow.

The Senate according to order, resolved itself into committee of the whole, on the reports of the standing committees on the state prison, Mr. Simonson in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the same to the Senate, without amendment, and the said report was ordered to lie on the table.

Mr. Morgan called up the engrossed bill to amend the act, entitled an act relative to crimes and punishments; and the said bill being taken up,

Mr. Morgan moved,

That the Senate do now recede from their amendment proposed by the Senate to the said bill, and disagreed to by the House of Representatives, and which disagreement of the House of Representatives, is adhered to by that House; when, after some discussion thereon, Mr. Morgan withdrew his motion; and

Mr. Clark moved,

That the Senate do adhere to their said amendment to the bill of the House of Representatives, in the words following, to-wit:

To which may be added any number of stripes, not exceeding thirty-nine, at the discretion of the jury trying the same;

And on the question, Will the Senate adhere to said amendment?

The ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Clark, Cotton, Ewing, Gregory, Oliver, Rariden and Watts—8.

And those who voted in the negative were,

Messrs. Blair, Colman, Daniel, Fletcher, Givens, Graham, Lane, Maxwell, Milroy, Montgomery, Morgan, Simonson and Smiley—13.

So it was decided in the negative, that the Senate do not adhere to said amendment.

Mr. Maxwell then moved,

That the Senate do recede from their said amendment; and on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Daniel, Fletcher, Givens, Lane, Maxwell, Milroy, Simonson and Smiley—9.

And those who voted in the negative, were,

Messrs. Canby, Clark, Colman, Cotton, Ewing, Graham, Gregory, Montgomery, Morgan, Oliver, Rariden & Watts—12.

So it was decided in the negative, that the Senate do not recede.

The Senate, according to order, resolved itself into committee of the whole, on the engrossed bill from the House of Representatives, making an appropriation for the completion of the House for the Executive of the State, and for other purposes, Mr. Smiley in the chair;

When, after some time spent thereon, the committee rose, Mr President resumed the chair, and Mr. Chairman reported the bill to the Senate with an amendment; which was read and now concurred in.

Mr. Ewing then offered the following amendment, as an additional section to said bill, to-wit:

Sec. This act, to provide for an unauthorized contract, shall never hereafter be taken as a manifestation of assent, on the part of this General Assembly, to sanction any expenditure of public funds, not previously provided for by legal appropriations; nor shall it be considered as affording a precedent, to justify the exercise of discretionary power, on the part of public agents required by law to make contracts for public work; nor shall it ever operate, in any way, to afford a sanction to agents to involve the funds of the state, by contracts which require means exceeding the specified limits of the law, under

which such public agents may hereafter be authorized or required to contract.

And on the question, Shall the said bill be so amended? the ayes and noes being demanded by two members;

Those who voted in the affirmative, were,
Messrs. Clark, Colman and Ewing—3.

And those who voted in the negative, were,
Messrs. Blair, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—17.

So it was decided in the negative, and the said amendment rejected. The bill was then ordered for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives, have passed the bill of the Senate, entitled

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826, with amendments;

They have passed original bills of the following titles, to-wit:

An act vacating the town of Greenfield, in the county of Vigo;

An act for the relief of Robert Martin; and

A joint resolution on the subject of certain mail routes:.

In both of which two last named bills, together with the said joint resolution, and the amendments to the first named bill, the concurrence of the Senate is requested.

And that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said enrolled bills last mentioned, having been signed by the President of the Senate, were handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

And the Senate adjourned to nine o'clock to-morrow morning.

WEDNESDAY, JANUARY 16, 1828.

The Senate assembled.

On motion by Mr. Graham,

The bill to amend an act relative to crime and punishment, of the Senate, was taken up, some discussion had thereon, and laid on the table.

Mr. Fletcher, from the joint committee on enrolled bills, now reported that they have compared the following engrossed with the enrolled bills, entitled acts, to-wit:

An act respecting a county Seminary, and the Seminary funds of the county of Switzerland:

An act supplemental to the act, entitled an act to establish a board of Trustees for the promotion of schools and education in Clark's grant: and,

An act to establish a state road from Shelbyville to intersect the Madison state road in the county of Jennings: and find the same truly enrolled.

Mr. Lane, from the joint committee of enrolled bills, reported, that they did on this day present to His Excellency the Governor, for his approval and signature the following joint resolution and acts to-wit:

A joint resolution relative to the northern boundary of the state of Indiana;

An act for the benefit of Henry Markle;

An act to amend the law regulating grist mills and millers;

An act to incorporate the Indianapolis Steam Mill Company;

An act to dissolve the banns of matrimony between John C. Brown and Polly Brown his wife;

An act to amend the act entitled an act to incorporate the town of Charlestown in the county of Clark;

An act supplementary to an act entitled an act providing for the incorporation of towns, approved, 30th January, 1824, in aid of the Trustees and Corporation of the town of New Albany;

And an act to amend the act concerning the Auditor of Public Accounts and Treasurer of State.

Mr. Milroy obtained leave to introduce a bill amendatory to the act for the better management of the State Prison;

Which was read and ordered for a second reading to-morrow.

Mr. Gregory offered for consideration and adoption the following resolution, to-wit:

Resolved, That the Senate adjourn on the 26th inst. *sine die*,

and that the House of Representatives be informed thereof.

And the said resolution was read and ordered to lie on the table.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives concur in the amendment proposed by the Senate, to the 4th amendment proposed by the House of Representatives to the bill of the Senate, entitled an act to establish a state road from Leavenworth via Bono to Indianapolis.

Mr. Rariden, on leave being granted, introduced a bill to amend the act entitled an act, regulating divorces, approved, January 22d, 1824: which bill was twice read by common consent, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The Senate now proceeded to consider the amendments made, or proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act amendatory of the law, and for the better advancement of justice, approved, Jan. 20th, 1826:

And the question being taken on concurrence in the amendments, separately, the Senate concurred in the amendments made to said bill by the House of Representatives, numbered as sections, 2, 3, 6 and 8, but refused to concur in the amendments made to said bill in the House of Representatives numbered 4 and 7; they have also concurred in the amendment made to said bill, numbered five, with an amendment by proviso to the said section, in the following words, proposed by Mr. Montgomery, to-wit:

“Provided the same would have been legal and proper, had they been done at the proper times for holding said courts.”

And on the question, shall the said 5th amendment, as amended be concurred in?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Maxwell, Milroy, Montgomery, Smiley and Watts—13.

And those who voted in the negative, were,

Messrs. Blair, Colman, Gregory, Lane, Morgan, Oliver, Rariden and Simonson—8.

So the said 5th section of the House of Representatives as amended was concurred in.

In the progress of concurrence, or non concurrence in the amendments aforesaid, and before the vote on striking out the 4th section was taken,

Mr. Clark moved to amend the said 4th section, by inserting after the following words in said section, to-wit: "guilty of any fraud or negligence in the management of any estate intrusted to them," the words following, to-wit: "or unnecessary neglect be deemed guilty of grand larceny;"

Which proposed amendment was not adopted; and the Secretary was instructed to inform the House of Representatives that the Senate concur in the amendments made to said bill by the House of Representatives, numbered as sections 2, 3, 6 and 8, without amendment, that they refuse to concur in the amendments proposed by the House of Representatives, to said bill, numbered sections 4 and 7; and concur in the amendment proposed by the House of Representatives numbered 5, with an amendment last mentioned, in which amendment the concurrence of the House of Representatives is requested.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

Messrs. Ewing and Clark now filed their protest against the passage of the engrossed bill of the Senate, to establish a Loan Office for the state of Indiana, in the following words, to wit:

The undersigned viewing the "act to establish a Loan Office" as adverse to the spirit, if not directly subversive of many clauses of our Constitution, and impolitic and inexpedient under any circumstances; deem it to be a solemn duty to protest against the passage thereof.

It is viewed as adverse if not subversive of the Constitution, inasmuch as the ninth article renders it the duty of the General Assembly, to apply the funds arising from lands granted to this state for the use of schools, to the accomplishment of that object exclusively, to support Seminaries and public schools equally open to all, wherein tuition shall be gratis; and the funds aforesaid are by this bill, said to accrue to a University, which it is believed, cannot be constitutionally created until a system be provided for ascending in regular gradation from township schools; and to establish and sustain such schools, the funds of this loan office have been denied, by the rejection of an offered amendment, to devote said funds to that purpose in such Congressional townships as might pledge their lands for its redemption.

It is viewed as adverse if not subversive of many constitutional safeguards, by setting forth the mortgages to be given

for loans as of record from their date, to have priority of any mortgages or conveyances of the same property not previously recorded; because the existing laws allow a certain time for the recording of such instruments, and this enactment of record from date, involves a novel, a dangerous and a partial principle, from which injustice may arise to our constituents and fellow citizens.

It is viewed as adverse if not subversive of the constitution, inasmuch as the 13th section of the 11th article, provides that no person shall hold more than one lucrative office, except as the constitution expressly permits—and it is conceived that the treasurer of state does not come within the purview of the exception, although the act referred to confers upon that constitutional officer another lucrative office.

This act is viewed as impolitic and inexpedient, because an advantageous investment of the funds could have been made without involving so much expense or hazard, in the promotion of education and science within our own state, or in certain public stocks, until called for; and because the time for which the money can be loaned may produce a yearly routine of new pledges and new mortgages, which will require a continuance of the salary and services of the superintendant; and because; after authorizing the sale of the land donated by the United States, to loan the money realized upon landed security, with authority to purchase mortgaged land as provided for, will, it is thought, inevitably lead to a necessity for much after legislation, or litigation, and endanger the fund, if it do not become troublesome and injurious; and because an unimpeded exercise of judgment without what is conceived to be, equitable restraints to secure a portion of the loans to citizens of each county of the state, must guide the treasurer in making loans, and there exists by the act, no equality in the security required of the borrower of a small sum who pays interest in advance, with pledges of property at half the appraised value, and that of the treasurer who makes the loan, inasmuch as that officer is only required to give security with an eventual lien upon property not previously examined and valued; and because the poor man unable to give freehold security, however honest, or deserving and safe he may be, seems by the enactments of the bill, to be virtually debarred from all participation in the loans contemplated, whilst a speculating and probably unproductive landholder may readily avail of the occasion; and because although the rents of the land sold to procure the funds might not equal the interest of the loans after paying expen-

ses, yet the land ordered for sale is the most secure, and the plan of loaning funds through the medium of our treasurer of state, is unnecessary to benefit by the money, and may open door to much evil; and because the fund may become less available by every injurious fluctuation in the value of premises mortgaged; and any dereliction of duty on the part of commissioners to be appointed by the treasurer to value such premises, may jeopardise a part of the fund altogether; and because, in addition to various other reasons unnecessary to adduce, the act has a tendency to convert our treasury into a brokerage office, and no state officer should be invested with power to loan state funds under such enactments, nor should any portion of our citizens be subjected to that undue influence in political matters which too often results from pecuniary considerations; for it is a seductive power, naturally resulting from the noble feeling of gratitude, and might, in process of time, be wielded to promote purposes quite foreign to the avowed object of the act.

M. G. CLARK,
JOHN EWING.

The bill to divorce Elizabeth Stout from her husband Reuben Stout, was read a second time, and ordered to be engrossed for third reading to-morrow.

The engrossed bill from the House of Representatives amendatory of the act entitled an act, for the relief of the poor, approved, January 30th, 1824; and.

The engrossed bill from the House of Representatives making an appropriation for the completion of the house for the Executive of the state, were severally read a third time in Senate, and passed without amendment.

And the Secretary was instructed to inform the House of Representatives thereof.

The engrossed bill of the Senate, supplemental to an act declaring Blue river a public highway, was read a third time and passed:

And the Secretary was instructed to inform the House of Representatives thereof.

The engrossed bill of the Senate, to regulate the licensing of physicians, and to authorize the formation of societies, for the advancement of Medical Science, was read a third time, and on the question, shall this bill pass?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Catton, Fletcher, Maxwell,

Montgomery, Morgan, Oliver, Rariden, Simonson and Watts—12.

And those who voted in the negative were,
Messrs. Clark, Daniel, Givens, Graham, Gregory, Lane, Milroy and Smiley—8.

So it was decided in the affirmative, and the said bill passed.

And the Secretary was instructed to inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Blair,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, to locate and open a state road from Crawfordsville in Montgomery county, to Indianapolis; when,

Mr. Graham moved to amend said bill by striking out of the line in the section, the words "and fifty cents," the effect of which amendment, went to fix the compensation of the commissioners locating said road, at one dollar per day, each;

And on the question, shall the bill be so amended? It was decided in the affirmative; and the bill as amended, was ordered for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the engrossed bill of the Senate, entitled an act for the relief of Joseph Campbell, without amendment:

They have passed original bills of the following titles, viz:

An act to establish a state road from Carlisle in Sullivan county, to Spencer in Owen county; and,

An act to establish a state road from Indianapolis via Danville and Rockville to Montezuma; in both of which the concurrence of the Senate is requested.

And that the Speaker of the House of Representatives, having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said enrolled bills being now signed by the President of the Senate, were handed to the committee on enrolled bills to be laid before the Governor for his approval and signature.

The engrossed bill of the House of Representatives, to establish a state road from Carlisle in Sullivan county, to Spencer in Owen county; and,

The engrossed bill of the House of Representatives to establish a state road from Indianapolis, via Danville and Rockville

to Montezuma, were severally read in Senate a first time and severally ordered for second reading to-morrow.

The Senate according to order, now resolved itself into committee of the whole, on the bill to amend the act entitled an act regulating the jurisdiction and duties of Justices of the Peace, approved, January 26th, 1824, and the bill to repeal a part of the above last recited act, Mr. Watts in the chair:

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported that the committee of the whole Senate had, according to order, had the said bills under consideration; had made one amendment to the first mentioned bill, and an amendment to the second of said bills, which was by striking the latter out from the enacting clause; in both of which said amendments he was directed to request the concurrence of the Senate.

And the amendment to the first mentioned bill having been read at the Secretary's table, and the question put, will the Senate concur in said amendment? It was decided in the negative:

And the bill was ordered to be engrossed for third reading to-morrow.

The question was then put, will the Senate concur in the amendment made in committee of the whole, to the second of the above mentioned bills, which was by striking the same out from the enacting clause? And decided in the affirmative;

And on motion by Mr. Morgar,

The further consideration of the said bill was postponed indefinitely.

On motion by Mr. Rariden,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, for the benefit of Peter Charles, Elijah Hurst and John Watkins, late Trustees of Congressional township No. 3, south, and range No. 4, east, in the Jeffersonville district; and the said bill was ordered for third reading to-morrow.

On motion by Mr. Fletcher,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, for the relief of Caleb Harrison;

And the said bill was amended in the _____ line of the section, so as to make the word "release," read, "lease;" and the bill ordered for third reading to-morrow.

The Senate according to order, resolved itself into committee of the whole, on the engrossed bill of the House of Repre-

sentatives, relative to limited partnerships, Mr. Canby in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, without amendment, the bill was then ordered for third reading to-morrow.

On motion by Mr. Rariden,

The committee of the whole Senate was discharged from the farther consideration of the bill of the House of Representatives, for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state, and the said bill was ordered for third reading to-morrow.

On motion by Mr. Montgomery,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives for the benefit of the Gibson county Seminary; the said bill was then read a third time, and passed without amendment:

And the Secretary was instructed to inform the House of Representatives thereof.

The Senate according to order, resolved itself into committee of the whole Senate, on the bill of the Senate, to amend an act entitled an act, to provide for the election of electors of President and Vice President of the United States; Mr. Clark in the chair:

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the same to the Senate with sundry amendments; all of which were read at the Secretary's table, and concurred in, and the bill as amended ordered to be engrossed for third reading to-morrow.

On motion by Mr. Oliver,

The committee of the whole Senate was discharged from the farther consideration of the bill to incorporate the Franklin Cotton Manufacturing Company, and the White Water Cotton Manufacturing Company; and the said bill was ordered to be engrossed for third reading to-morrow.

On motion by Mr. Oliver,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the Senate, to incorporate the Indianapolis and White Water Turnpike Company; and the said bill was amended in the third line of the first section, by striking out the name of "Amaziah Morgan," and inserting in lieu thereof the names of "Job Pugh of

Rushville, and David Tracy of Shelby county;" and the said bill as amended, was ordered for third reading to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

THURSDAY, JANUARY 17, 1829.

The Senate assembled.

Mr. Fletcher, from the joint committee for enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to incorporate the Montezuma agricultural and domestic manufacturing association;

An act to amend an act, entitled an act to regulate the militia of the state of Indiana, approved January 20th, 1824; and

An act to provide for printing and distributing the laws and journals of the present session;

And find the same truly enrolled.

Mr. Rariden obtained leave to introduce a bill to divorce Margaret Corbin, formerly Margaret Stagton, from John Corbin, her husband;

Which bill was read a first time, and ordered for second reading to-morrow.

Mr. Canby obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana, relative to an application to Congress for a cession of the public lands, which was twice read by common consent;

When Mr. Colman proposed to add the following amendment to the joint resolution, to-wit:

Congress providing, however, in the act of cession, for the completion of the Wabash canal, from the head of steam boat navigation, on the Wabash river, to a point on the Maumee river, where the state line crosses the same, out of the proceeds of the sales of such cession;

When Mr. Rariden proposed to amend the said amendment offered by Mr. Colman, by adding thereto the following, to-wit:

And also to use their exertions to cause an account to be taken of all the monies that have accrued from the sale of lands within the territorial limits of this state, since the formation of a state government; and to cause the same to be transported

and paid over, at the cost of the United States, to the Treasurer of this state, on or before the first of January, 1829;

And on the question, Shall the amendment proposed by Mr. Colman be amended as proposed by Mr. Rariden? it was decided in the affirmative, and the said amendment to the amendment adopted.

The question was then put, Shall the amendment to the joint resolution of Mr. Canby, proposed by Mr. Colman, as amended by Mr. Rariden, be adopted?

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Cotton, Daniel, Fletcher, Rariden and Watts—5.

And those who voted in the negative, were,
Messrs. Blair, Canby, Clark, Colman, Ewing, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Oliver, Simonson and Smiley—16.

So it was decided in the negative, and the said amendment rejected.

The joint resolution was then ordered to be laid on the table.

The engrossed bill from the House of Representatives, for the relief of Robert Martin;

The engrossed bill from the House of Representatives, vacating the town of Greenfield, in the county of Vigo;

And the engrossed joint resolution on the subject of certain mail routes, from the House of Representatives;

Were severally read a first time, and ordered for second reading to-morrow.

The bill of the Senate, amendatory of the act for the better management of the state prison, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill of the House of Representatives, to establish a state road from Indianapolis, via Danville and Rockville, to Montezuma, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed bill of the House of Representatives, to establish a state road from Carlisle, in Sullivan county, to Spencer, in Owen county, was read a second time, and ordered for third reading to-morrow.

The engrossed bill of the House of Representatives, to locate and open a state road from Crawfordsville, in Montgomery county, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill of the House of Representatives, relative to limited partnerships, was read a third time;

And on the question, Shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Fletcher, Graham, Gregory, Maxwell, Montgomery, Morgan, Oliver and Simonson—11.

And those who voted in the negative, were,

Messrs. Clark, Cotton, Daniel, Ewing, Givens, Lane, Milroy, Rariden, Smiley and Watts—10.

So it was decided in the affirmative, and the said bill passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, without amendment.

The engrossed bill of the House of Representatives for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state;

The engrossed bill of the House of Representatives, for the benefit of Peter Charley, Elijah Hurst, and John Watkins, late trustees of congressional township No. 3 south, and range No. 4 east, in the Jeffersonville district;

The engrossed bill of the House of Representatives, for the relief of Caleb Harrison;

Were severally read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill.

The engrossed bill of the Senate to amend the act, entitled an act regulating the jurisdiction and duties of justices of the peace, approved January 20, 1824, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, and request their concurrence therein.

The engrossed bill of the House of Representatives, to amend an act, entitled an act to provide for the election of electors of President and Vice President of the United States, as amended in Senate, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, with amendments, and request concurrence therein.

The engrossed bill of the House of Representatives, to in-

incorporate the Indianapolis and White Water Turnpike Company, as amended in Senate, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, with amendments, in which the concurrence of that House is requested.

The engrossed bill to divorce Elizabeth Stout and Reuben Stout, was read a third time;

And on the question, Shall this bill pass? it was decided in the negative, and the said bill did not pass.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the engrossed bill of the Senate, entitled

An act authorizing the viewing and marking certain roads, with amendments; in which amendments they ask the concurrence of the Senate:

They concur in the amendment proposed by the Senate, to the 4th amendment made by the House of Representatives to the bill of the Senate, entitled

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826;

And insist on the third and sixth amendments made by them to said bill:

They have also adopted the following resolution, viz:

Resolved, That this House will adjourn, *sine die*, on Thursday the 24th instant; and that the Senate be informed thereof, and the adoption of a similar resolution on their part requested.

The Senate now proceeded to consider the amendments proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act authorizing the viewing and marking certain roads;

All of which were read and concurred in:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the third and sixth amendments made by the House of Representatives, to the engrossed bill of the Senate, entitled

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20th, 1826;

And which third and sixth amendments made by the House were disagreed to by the Senate; and,

On motion by Mr. Smiley,

Ordered, That the Senate insist on their disagreement to the

said third and sixth amendments, and that the House of Representatives be informed thereof.

Mr. John Wick now informed the Senate, that he was instructed by the Governor to announce to the Senate, that, on the 14th instant, he approved and signed the following enrolled bills, entitled acts, to-wit:

An act to authorize the qualified voters of this state, to vote for or against a convention for a revision of the constitution of this state;

And on the 16th instant, he did approve and sign

An act to amend an act, entitled an act to provide for the partition of real estate, approved January 2, 1824;

An act making further provisions for the sale of the seminary townships in the counties of Gibson and Monroe, and for other purposes; and

An act attaching a certain territory to the counties therein named;

And on this day, January 17th, he also approved and signed

An act to amend the law regulating grist mills and millers;

An act for the benefit of Henry Markle; and

An act to incorporate the Indianapolis Steam Mill Company;

All of which are now on file in the office of the Secretary of State.

Mr. Montgomery obtained leave to introduce a joint resolution of the state of Indiana;

Which resolution was read, and ordered for second reading to-morrow.

And the Senate adjourned to two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

On motion by Mr. Rariden,

The Senate resolved itself into committee of the whole, on the bill to amend the several acts regulating the judicial circuits, and fixing the times of holding courts therein, Mr. Colman in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with two amendments, which were read and considered separately;

And the first amendment made in committee of the whole to said bill, was concurred in.

Mr. Rariden then moved, to strike from the second amendment made in committee of the whole, so much as reads in the following words, to-wit:

And in the county of Knox on the next ensuing Mondays after the holding of Courts in Daviess county, to sit six days at each term, if the business require it; provided that nothing herein contained shall interfere with, or operate to restrict, the duties now required to be performed by the circuit prosecuting attorney of the first judicial circuit, whose duty it shall be to continue, as heretofore, to act as public prosecutor in said circuit, and in the counties of Orange, Martin, Daviess and Knox, until otherwise directed by law;

Which words or lines had been offered in committee of the whole, by Mr. Ewing, as an amendment to the second amendment then offered and then adopted;

And on the question, Shall so much of the said second amendment be stricken out? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Colman, Cotton, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Morgan, Rariden, Simonsen, Smiley and Watts—14.

And those who voted in the negative, were,

Messrs. Canby, Clark, Daniel, Ewing, Milroy, Montgomery and Oliver—7.

So it was decided in the affirmative, and the said amendment stricken out.

Mr. Ewing then moved, that the said bill be referred to a select committee, with instructions to equalize between the first and fourth circuits, as near as may be, the labor and time of the judges of said circuits, and to provide for the time of holding courts in such counties as may be detached from the first and attached to the fourth circuit;

And on the question, Shall the bill be so referred? it was decided in the negative.

The question was then put, Will the Senate concur in the second amendment made to said bill in committee of the whole? and decided in the negative.

The first amendment made in committee of the whole to said bill, was then ordered to be engrossed, and, with the bill, read a third time to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported that they have compared the following engrossed with the enrolled bills, entitled acts, to-wit:

An act making an appropriation for the completion of the house for the Executive of the state, and for other purposes; and

An act amendatory of the act, entitled an act for the relief of the poor, approved January 30th, 1824;

And find the same truly enrolled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives, have passed bills of the Senate, of the following titles, viz:

An act to divorce Nancy Maddox from her husband, David T. Maddox; and

An act legalizing the proceedings of the board of county commissioners of Shelby county;—both without amendment.

They have adopted a joint resolution to provide the Wabash and Miami Canal commissioners, with a copy of Strickland's Reports; in which they ask the concurrence of the Senate.

They agree to the amendment proposed by the Senate, to the bill of the House of Representatives, entitled

An act to locate and open a state road from Crawfordsville, in Montgomery county, to Indianapolis;

And that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said enrolled bills last above named, having been signed by the President of the Senate, were handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

Mr. Lane, from the joint committee on enrolled bills, reported that they did, on this day, present to His Excellency the Governor, for his approval and signature, the following bills, to-wit:

An act respecting a county seminary and the seminary funds of the county of Switzerland;

An act supplemental to the act, entitled an act to establish a board of trustees for the promotion of schools and education, in Clark's grant; and

An act establishing a state road from Shelbyville, to intersect the Madison state road, in the county of Jennings.

The joint resolution of the House of Representatives to provide the Wabash and Miami canal commissioners with a copy of Strickland's Reports, was read; when

Mr. Ewing moved, that the resolution be rejected;

And on the question, Shall this resolution be rejected? it was decided in the negative. The resolution was then read a second time, when

When Mr. Ewing moved to commit the resolution to a committee of the whole Senate; which motion was negatived.

Mr. Ewing then moved to amend the resolution, by adding thereto the following, to-wit:

And said commissioners shall have access to and use, as may be thought necessary, all the books in the state library they may require;

And on the question, Shall this amendment be adopted? it was decided in the negative, and the resolution was ordered for third reading to-morrow.

The engrossed bill to incorporate the Franklin cotton manufacturing company, and the White Water cotton manufacturing company, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Montgomery,

The Senate reconsidered their vote of this morning, against the passage of the engrossed bill to divorce Elizabeth Stout and Reuben Stout;

And the question again recuring, Shall this bill pass? it was decided in the affirmative, and the said bill passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage thereof, and request their concurrence therein.

The Senate according to order, resolved itself into committee of the whole, on the bill to amend an act entitled an act for the incorporation of towns, Mr. Cotton in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with sundry amendments; which were read and concurred in;

And the bill as amended, was ordered to be engrossed for third reading to-morrow.

And the Senate adjourned to nine o'clock to-morrow morning.

FRIDAY, JANUARY 18, 1828.

The Senate assembled.

Mr. Fletcher, from the joint committee for enrolled bills, now reported, that they have compared the enrolled with the engrossed bills, entitled,

An act for the relief of Joseph Campbell:

An act to divorce Nancy Maddox from her husband, David T. Maddox:

An act to establish a state road from Levenworth, via Bone to Indianapolis, and for other purposes:

An act for the benefit of the Gibson county Seminary:

An act relative to limited partnerships:

An act for the relief of Caleb Harrison:

An act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state:

An act for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees of Congressional township No. 3, south of range No. 4, east, in the Jeffersonville district:

An act to establish a state road from New Castle, in Henry county, to Lafayette in Tippecanoe county: and,

An act legalizing the proceedings of the board of county commissioners of Shelby county: and find the same truly enrolled.

Mr. Milroy obtained leave to introduce a bill to divorce Nice Belew, late Nice Elixor, from James Belew, which bill was read and ordered for second reading to-morrow.

On motion by Mr. Ewing,

The Senate reconsidered their vote against the passage of the bill to divorce Nathan Overman, from his wife, Eleanor Overman; and the said bill was ordered to lie on the table.

Mr. Ewing, offered for adoption the following resolution, to-wit:

Resolved, That the Senate concur in the resolution reported to this House on yesterday, to close the present session of the General Assembly on Thursday the 24th instant, and that the House of Representatives be informed of this concurrence.

And the said resolution having been read, was laid on the table.

On motion by Mr. Colman,

The engrossed bill, attaching a part of the county of Green to the county of Sullivan, from the House of Representatives was taken up, and after some discussion thereon,

Mr. Maxwell moved that the further consideration of the said bill be postponed until the first Monday in December next;

And on the question, shall the further consideration of this bill be postponed until the first Monday in December next?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Clark, Cotton, Fletcher, Gregory, Lane, Maxwell, Morgan and Simonson—8.

And those who voted in the negative, were,

Messrs. Blair, Canby, Colman, Daniel, Givens, Graham, Montgomery, Oliver, Rariden, Smiley and Watts—11.

So it was decided in the negative, and on motion, the bill was again laid on the table.

Mr. Simonson moved that the Senate do appoint a committee of free conference on the subject matter of difference between the two Houses, relative to crimes and punishments;

Which motion was decided to be out of order.

Mr. Graham then moved that the Senate adhere to their concurrence in the report of the committee of free conference;

And on the question, will the Senate adhere to their concurrence, in the report of the committee of free conference? It was decided in the affirmative:

And Mr. Farnham was instructed to inform the House of Representatives that the Senate adhere to their concurrence in said report.

Mr. Lane, from the joint committee of enrolled bills, reported, that they did on this day present to His Excellency the Governor, for his approval and signature the following acts, to-wit:

An act to incorporate the Montezuma Agricultural and Domestic Manufacturing Association:

An act to provide for printing and distributing the laws and journals of the present session: and

And an act to amend an act entitled an act to regulate the Militia of the state of Indiana, approved, January 20th, 1824.

The bill to divorce Margaret Corbin, formerly Margaret Stockton, from Edward Corbin her husband, was read a second time, and ordered to be engrossed for third reading to-morrow.

The engrossed bill of the House of Representatives, vacating the town of Greenfield, in the county of Vigo;

And the engrossed bill of the House of Representatives, for the relief of Robert Martin, were severally read a second time and severally ordered for third reading to-morrow.

The engrossed joint resolution of the House of Representatives, on the subject of certain Mail routes, was read a second time, and the further consideration thereof postponed indefinitely.

The engrossed joint resolution of the House of Representatives, to provide the Wabash and Miami Canal Commissioners with a copy of Strickland's reports, was read a third time, and on the question, shall this bill pass?

The ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Blair, Colman, Cotton, Daniel, Gregory, Lane, Maxwell, Montgomery, Morgan, Simonson and Watts—11.

And those who voted in the negative were,

Messrs. Canby, Clark, Ewing, Fletcher, Givens, Graham, Milroy, Oliver and Smiley—9.

So it was decided in the affirmative, and the said resolution passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said resolution without amendment.

The joint resolution of the state of Indiana, relative to petitioning Congress for the right of taxing certain lands, was now taken up, read a second time, when,

Mr. Morgan moved that the further consideration of this joint resolution be postponed indefinitely;

And on this question, the ayes and nees being demanded by two members,

Those who voted in the affirmative were,

Messrs. Blair, Canby, Cotton, Fletcher, Graham, Gregory, Lane, Morgan, Smiley and Watts—10.

And those who voted in the negative were,

Messrs. Clark, Colman, Daniel, Ewing, Givens, Maxwell, Milroy, Montgomery, Oliver and Simonson—10.

So the Senate being equally divided, Mr. President decided in the negative, and the said motion to postpone did not prevail; and the resolution was ordered to be engrossed for third reading to-morrow.

The engrossed bill of the House of Representatives to establish a state road from Carlisle, in Sullivan county, to Spencer in Owen county; and,

The engrossed bill of the House of Representatives, to amend the several acts, regulating the Judicial Circuits, and fixing the times of holding Courts therein, as amended in Senate, were severally read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bills, and request their concurrence in the amendment made in the last mentioned bill;

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill of the Senate to amend the act entitled an act providing for the incorporation of towns, was read a third time and passed; and,

Mr. Farnham was instructed to inform the House of Repre-

representatives of the passage of said bill, and request their concurrence therein.

On motion by Mr. Maxwell,

The committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives to establish a College in the state of Indiana; when,

Mr. Graham moved, to amend the said bill by striking out the three first lines of the 13th section, and inserting in lieu thereof the following, to-wit: "James Scott, Benjamin Parke, Isaac Blackford, Jesse L. Holman, George Bush, Moses Tabbs, John H. Farnham and Andrew C. Griffith;"

And on the question, shall the bill be so amended? It was decided in the negative.

And on motion by Mr. Montgomery,

The bill was amended by striking out "Seth M. Levenworth, of Crawford county," from the 4th line of the 11th section, and inserting in lieu thereof, the name of "Samuel Hall:"

Several other amendments were proposed by Mr. Graham, and Mr. Ewing, none of which were adopted; and the bill as amended was ordered for third reading to-morrow.

On motion by Mr. Simonson,

The committee of the whole Senate was discharged from the further consideration of the bill, simplifying the proceedings at law, for the collection of debts, and the said bill was laid on the table.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have passed engrossed bills of the Senate, of the following titles, viz:

An act to amend an act entitled an act to establish county Seminaries in the several counties therein named, approved, January 26, 1827; with an amendment;

And an act to amend the several acts now in force in this state, for assessing and collecting the revenue, with several amendments.

They have passed original bills of the following titles, viz:

An act to dissolve the Connersville Library Association;

An act for opening and repairing public roads and highways;

And an act establishing the boundary line of Decatur county; in which several amendments to the two first mentioned bills, and the three last named bills the concurrence of the Senate is requested.

They continue to insist on the 3d and 6th amendments, proposed by them, to the bill of the Senate, entitled an act, to amend an act entitled an act, amendatory of the law and for the

better advancement of justice, approved, January, 20, 1826, to which the Senate have disagreed, and have appointed Messrs. Judah and Claypool a committee of free conference, on their part, to take the above named subject matter of difference between the two Houses into consideration, and request the appointment of a similar committee on the part of the Senate.

The Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said several enrolled bills, last mentioned, having been signed by the President of the Senate, were handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

The Senate now proceeded to consider the amendment made or proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act to amend an act entitled an act to establish county Seminaries, in the several counties therein named, approved, January 26, 1827; and the said amendment having been read in Senate, was concurred in;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendments proposed by the House of Representatives to the engrossed bill of the Senate, to amend the several acts now in force in this state for assessing and collecting the revenue, and,

On motion by Mr. Gregory,

The said amendments were committed to a committee of the whole Senate and made the order of the day for to-morrow.

The engrossed bill of the House of Representatives, entitled an act to dissolve the Connersville Library Association, was read twice, and ordered for third reading to-morrow.

The engrossed bill of the House of Representatives, entitled an act establishing the boundary line of Decatur county, was read a first time, and ordered for second reading to-morrow.

The engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways, was read twice by common consent, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

On motion, Mr. Rariden and Mr. Graham are appointed a committee of free conference, to act with the committee of free conference appointed on the part of the House of Representatives, on the subject matter of disagreement between the two Houses, relative to the bill of the Senate, entitled an act

to amend an act entitled an act amendatory of the law and for the better advancement of justice, approved, January 20, 1826;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate according to order, resolved itself into committee of the whole, on the bill to provide for surveying and locating a state road from Terre Haute to Fort Wayne; Mr. Daniel in the chair:

When after some time spent thereon, the committee rose:

Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with amendments, which were read and concurred in.

Mr. Blair then moved to fill up the blank in the clause making an appropriation for opening said road, with the sum of one thousand dollars:

Mr. Clark moved to fill the blank with the sum of \$2600:

And Mr. Gregory moved to fill the blank with the sum of \$2000: which motion of Mr. Gregory prevailed, and the blank was filled with \$2000: the bill as amended, was then ordered to be engrossed and read a third time to-morrow.

On motion by Mr. Montgomery,

The committee of the whole Senate was discharged from the further consideration of the bill to enable the inhabitants of the Congressional townships, in the several counties in this state to express their assent or dissent to a sale of the 16th section, in the respective townships.

Mr. Milroy then moved that the further consideration of this bill be indefinitely postponed;

And on the question, shall the further consideration of this bill be indefinitely postponed? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Cotton, Daniel, Graham, Milroy, Oliver and Smiley—7.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Ewing, Fletcher, Givens, Gregory, Lane, Maxwell, Montgomery, Morgan, Rariden, Simonson and Watts—14.

So it was decided in the negative.

Mr. Oliver then moved to amend the bill, by adding after the word, "inhabitants," the word "landholders;"

And on the question, Shall the bill be so amended? the ayes and noes being demanded by two members,

Mr. Oliver voted in the affirmative.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Cotton, Daniel, Ewing, Givens, Gregory, Lane, Maxwell, Milroy, Montgomery, Morgan, Simonson, Smiley and Watts—16.

So it was decided in the negative, and the bill ordered to be engrossed for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the joint resolution from the Senate, entitled,

"A joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie;" without amendment.

And the Senate adjourned to nine o'clock to-morrow morning.

SATURDAY, JANUARY 19, 1828.

The Senate assembled.

Mr. Graham, from the committee of free conference, on the subject, now made the following report, to-wit:

The committee of free conference, appointed on the subject of the disagreement between the two Houses, relative to the bill to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, have agreed to strike out the fourth section, and insert in lieu thereof the following, to-wit:

The eleventh section of the act, to which this is an amendment, shall be deemed and taken to apply to the management of any estate, from the granting of letters of administration or letters testamentary, and that suit, as in that section is provided, may be instituted as well before as after settlement made by the probate court.

They have agreed to strike out the seventh section, and insert, in lieu thereof, the following:

The probate courts shall hold an additional session, in their respective counties, on the second Mondays in December, annually, and may sit three days at each term, if the business require it:

And the said report having been read in Senate, and concurred in,

Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have been officially informed, that His Excellency the Governor did, on the 11th instant, approve and sign the following enrolled bills, entitled acts, to-wit:

An act to authorize the board of Justices of Wayne county to sell a part of the public square, in the town of Centreville;

An act to revive an act, entitled an act for the relief of such persons as have suffered, or may hereafter suffer by the destruction of the records of Knox county, which were consumed by fire at Vincennes, in the year 1814, passed 7th September, 1814:

And on the 12th inst. the following:

An act to incorporate the town of Corydon, in Harrison county;

An act directing the mode of suing out and prosecuting writs of habeas corpus; and

An act authorizing the inhabitants of congressional township No. 11 north, range No. 9 west, to incorporate themselves, according to the provisions of the act of 1824:

On the 14th instant,

An act supplementary to an act, entitled an act for the appointment of county surveyors and their deputies;

An act to extend an act, entitled an act to provide for recording brands, ear marks, and posting estrays, in the counties therein named, and for other purposes, approved January 24, 1827;

An act providing for the re-payment of certain monies to the county of Delaware:

On the 16th instant,

An act to divorce Sarah Pettingel from her husband, James Pettingel; and

A memorial and joint resolution on the subject of the national road:

On the 17th instant,

An act to amend the act concerning the Auditor of Public Accounts and Treasurer of State;

An act supplementary to an act, entitled an act providing for the incorporation of towns, approved 30th January, 1824, in aid of the trustees and corporation of the town of New Albany;

An act to dissolve the banns of matrimony between John C. Brown and Polly Brown, his wife;

A joint resolution relative to the northern boundary of the state of Indiana; and

An act to amend the act, entitled an act to incorporate the town of Charlestown, in the county of Clark:

All of which originated in the House of Representatives.

Mr. Ewing moved,

That the two several joint resolutions on the subject of the navigation of the Wabash river, to-wit:

A resolution from the House of Representatives, entitled "A joint resolution relative to the navigation of the Wabash river;"

And the resolution of the Senate, entitled "A joint resolution of the General Assembly, relative to the examination and surveying that part of the Wabash river, under the joint jurisdiction of Indiana and Illinois;"

Were now taken up, and the first mentioned resolution was read, amended by consent, by striking out the preamble, and ordered for third reading on Monday next:

And the second of the abovementioned resolutions being read, was amended by Mr. Ewing, by common consent;

When Mr. Ewing moved, that the last mentioned joint resolution be engrossed for third reading on Monday next;

And on the question being put, Shall this joint resolution be engrossed for third reading on Monday next? it was decided in the negative.

Mr. Ewing then moved, that the further consideration of this bill be indefinitely postponed;

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Colman, Cotton, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Morgan, Rariden, Simonson and Watts—13.

And those who voted in the negative, were,

Messrs. Canby, Clark, Daniel, Ewing, Milroy, Montgomery, Oliver and Watts—8.

So it was decided in the affirmative, and the further consideration of the resolution indefinitely postponed.

The engrossed bill to divorce Nice Bellew, late Nice Elixor, from James Bellew, was read a second time;

When Mr. Milroy moved, that the bill be engrossed for third reading on Monday next;

And previous to any question being taken on this motion, the bill was ordered to be laid on the table.

The engrossed bill of the House of Representatives, entitled an act establishing the boundary line of Decatur county, was read a second time, and ordered for third reading on Monday next.

The engrossed bill of the House of Representatives, entitled an act vacating the town of Greenfield, in the county of Vigo; and

The engrossed bill of the House of Representatives, entitled an act for the relief Robert Martin;

Were severally read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill of the Senate, entitled an act to provide for surveying and locating a state road from Terre Haute to Fort Wayne, was read a third time;

And on the question, Shall this bill pass? the ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Colman, Fletcher, Maxwell, Milroy and Morgan—7.

And those who voted in the negative, were,

Messrs. Clark, Cotton, Daniel, Ewing, Givens, Graham, Gregory, Lane, Montgomery, Oliver, Rariden, Simonson, Smiley and Watts—14.

So it was decided in the negative, and the said bill did not pass.

The engrossed bill from the House of Representatives, entitled an act to establish a college in the state of Indiana, as amended in Senate, was read a third time;

And on the question, Shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Blair, Canby, Colman, Cotton, Daniel, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery, Oliver, Rariden, Simonson, Smiley and Watts—18.

And those who voted in the negative, were,

Messrs. Clark, Ewing and Morgan—3.

So it was decided in the affirmative, and the said bill passed.

And Mr. Farnham instructed to inform the House of Representatives thereof, and request their concurrence in the amendments.

The engrossed bill of the House of Representatives, entitled an act to dissolve the Connersville library association, was read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill of the Senate, entitled an act to divorce Margaret Corbin, formerly Margaret Stackton, from her husband, Edward Corbin, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed joint resolution of the Senate, entitled a joint resolution of the General Assembly, relative to petitioning Congress for a change of the compact between this state and the United States, was read a third time, amended by common consent, and on the question, Shall this joint resolution pass?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,

Messrs. Clark, Colman, Cotton, Daniel, Ewing, Givens, Maxwell, Milroy, Montgomery, Oliver and Rariden—11.

And those who voted in the negative, were,

Messrs. Blair, Canby, Fletcher, Graham, Gregory, Lane, Morgan, Smiley and Watts—9.

So it was decided in the affirmative, and the said joint resolution passed.

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

Mr. John Wick now informed the Senate, that he was instructed by the Governor, to announce to the Senate, that he had, on this day, approved and signed the following enrolled bills, entitled acts, to-wit:

An act to provide for printing and distributing the laws and journals of the present session;

An act to amend an act entitled an act to regulate the militia of the state of Indiana, approved January 20, 1824;

And the said acts are now on file in the office of the Secretary of State.

The Senate, according to order, resolved itself into committee of the whole, on the engrossed bill of the Senate, entitled an act for opening and repairing public roads and highways;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made therein. and a re-

quest to sit again; and, by unanimous consent of the Senate, leave was granted the committee of the whole to sit again on said bill.

And the Senate adjourned to two o'clock this afternoon.

Two o'clock, P. M.

The Senate assembled.

The engrossed bill of the Senate, entitled an act to enable the inhabitants of the congressional townships in the several counties in this state, to express their assent or dissent to the sale of the 16th section in their respective townships, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The Senate again, according to order, resolved itself into committee of the whole, on the engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways, Mr. Ewing in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with further progress made therein, and a request for leave to sit again;

And on the question, Shall leave be granted the committee of the whole to sit again on said bill? it was decided in the affirmative, and leave granted.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives concur in the report of the joint committee of free conference, appointed to take into consideration the disagreement between the two Houses, relative to the 3d and 6th amendments made by the House of Representatives, to the bill of the Senate, entitled

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826;

They refuse to concur in the amendment proposed by the Senate, to the bill of the House of Representatives, entitled

An act to establish a college in the state of Indiana;

They have passed engrossed bills of the Senate, entitled acts, viz:

An act supplemental to an act declaring Blue river a public highway;

An act to divorce Elizabeth Stout and Reuben Stout; and

An act to incorporate the Franklin cotton manufacturing company, and the White Water cotton manufacturing company—all without amendment:

They have received official information that His Excellency the Governor did, on this day, January 19, 1828, approve and sign the following enrolled bills, entitled acts, viz:

An act to establish a state road from Shelbyville, to intersect the Madison state road, in the county of Jennings;

An act supplemental to the act, entitled an act to establish a board of trustees for the promotion of schools and education, in Clark's grant;

An act respecting a county seminary, and the seminary funds of the county of Switzerland; and

An act to incorporate the Montezuma agricultural and domestic manufacturing association:

All of which originated in the House of Representatives.

And the Senate adjourned to Monday morning nine o'clock.

MONDAY, JANUARY 21, 1828.

The Senate assembled.

The Senate now proceeded to consider the amendment proposed by them to the engrossed bill of the House of Representatives, entitled an act to establish a College in the state of Indiana, and disagreed to by the House of Representatives, and,

On motion by Mr. Montgomery,

Ordered, That the Senate insist on their said amendment, and that the House of Representatives be informed thereof.

Mr. Fletcher then moved that a committee of free conference be appointed on the part of the Senate, to confer with a similar committee to be appointed on the part of the House of Representatives, on the subject matter of disagreement between the Houses relative to the amendment made to said bill;

And Messrs. Fletcher and Rariden were appointed that committee on the part of the Senate.

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request a similar committee on their part.

On motion by Mr. Colman,

Leave is granted him to withdraw the petition of Henry Markle.

On motion by Mr. Graham,

Ordered, That leave be granted the Agent of the three per centum fund, to withdraw certain documents and vouchers relative to that fund.

Mr. Maxwell obtained leave to introduce a joint resolution of the General Assembly, authorizing the purchase of a book, and the keeping certain records therein, by the Treasurer of State, which joint resolution was read and ordered for second reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act for the relief of Robert Martin:

An act vacating the town of Greenfield, in the county of Vigo.

An act to locate and open a state road from Crawfordsville in Montgomery county to Indianapolis: and,

An act to establish a state road from Carlisle, in Sullivan county, to Spencer, in Owen county: and also,

A joint resolution to provide the Wabash and Miami Canal Commissioners, with a copy of Strickland's reports: And find the same truly enrolled.

Mr. Lane, from the joint committee on enrolled bills, reported that they did on the 19th instant, present to his excellency the Governor for his approval and signature, the following acts, to-wit:

An act relative to limited partnerships;

An act for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees for Congressional township, No. 3, south, and range No. 4, east, in the district of lands offered for sale at Jeffersonville;

An act for the relief of Caleb Harrison;

An act for the relief of Joseph Campbell;

An act to establish a state road from New Castle in Henry county, to Lafayette in Tippecanoe county;

An act to divorce Nancy Maddox from her husband David T. Maddox;

An act legalizing the proceedings of the board of county commissioners, of Shelby county;

An act to establish a state road from Levenworth, via Bono to Indianapolis, and for other purposes;

An act for the benefit of the Gibson county Seminary;

An act making an appropriation for the completion of the house for the Executive of State, and for other purposes;

An act amendatory of the act entitled an act, for the relief of the poor, approved, January 30th, 1824; and,

An act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state.

On motion by Mr. Milroy,

The bill to divorce Nice Belew, formerly Nice Elixor, from James Belew, was taken up; when,

Mr. Watts moved that the further consideration of this bill be indefinitely postponed;

And on the question, shall the further consideration of this bill be indefinitely postponed: The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Montgomery, Morgan, Simonson, Smiley and Watts—17.

And those who voted in the negative, were,

Messrs. Milroy, Oliver and Rariden—3.

So it was decided in the affirmative, and the said bill indefinitely postponed.

The bill to amend an act, entitled an act, to establish a state road from Terre Haute to Fort Wayne, approved, 1821, was read a second time, committed to a committee of the whole Senate, and made the order of the day for to-morrow.

The engrossed joint resolution from the House of Representatives, entitled a joint resolution relative to the navigation of the Wabash river, as amended in Senate, was read a third time and passed, and,

Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in said amendment.

The engrossed bill of the House of Representatives, entitled an act establishing the boundary line of Decatur county, was read a third time and passed without amendment; and,

Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate according to order, again resolved itself into committee of the whole on the engrossed bill of the House of Representatives, entitled an act, for opening and repairing public roads and highways, Mr. Ewing in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with amendments, in which he was instructed to request the concurrence of the Senate;

And previous to taking any order on said amendments,
The Senate adjourned until two o'clock, P. M.

Two o'clock, P. M.

The Senate assembled.

The Senate now proceeded to consider the amendments made in committee of the whole to the engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways;

And the first amendment made thereto was read, and concurred in, the second, third, fourth, fifth, sixth, seventh, eighth and ninth amendments made to said bill were then read, and concurred in, and the tenth amendment being then read, which was by striking out of the nineteenth section, the following lines, to-wit: "Provided that if said board doing county business, should deem it expedient, they may at their May term, in each year appoint three suitable persons to serve as Commissioners of highways, for each township in their respective counties, whose duty it shall be to divide their several townships into a suitable number of districts, apportion the hands and number said districts, noting the boundaries of each, and select some fit person in each district to serve as supervisor, and make a report of their proceedings on or before the first day of June, following, to the Clerk of the Circuit Court, for their respective counties, who shall file the same in his office, and thereupon, issue his order to each person returned by said commissioners, as supervisor, directing him to take charge of the district in which he resides, as supervisor for the same; and the supervisors so appointed shall be governed in all respects as other supervisors are, under the provisions of this act; and the commissioners appointed agreeably to the provisions of this act, shall for every day they are necessarily employed in discharging the duties of their office, be allowed severally by the supervisors of the districts in which they reside a credit of one days labor on the road, and for refusal to serve when notified of his appointment by the Clerk, or neglect of duty, shall be liable to a fine of not exceeding ten dollars, to be collected by presentment or indictment."

And on the question, will the Senate concur in the 10th amendment made in committee of the whole, by striking out the words above set out?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Colman, Cotton, Ewing, Fletcher, Gra-

ham, Gregory, Lane, Morgan, Oliver, Rariden, Simonson and Smiley—14.

And those who voted in the negative, were,

Messrs. Canby, Daniel, Givens, Maxwell, Milroy, Montgomery and Watts—7.

So it was decided in the affirmative, and the amendment made in committee of the whole, by striking out the aforesaid lines, concurred in.

The residue of the amendments, to-wit: eleven amendments, made in committee of the whole, were then read and concurred in.

Mr. Simonson then moved to amend said bill in the 37th section, by inserting after the word "Perry," the following words, to-wit: "together with the several counties in this state:"

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Graham, Gregory, Lane and Simonson—4.

And those who voted in the negative were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Fletcher, Givens, Maxwell, Milroy, Montgomery, Morgan, Oliver, Rariden, Smiley and Watts—16.

So it was decided in the negative, and the said amendment not adopted.

Mr. Ewing then moved to amend the said bill in the 14th section, by striking out of said section the words "for personal privileges:"

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Clark, Ewing, Graham, Gregory, Lane, Montgomery, Rariden, Simonson and Smiley—10.

And those who voted in the negative, were,

Messrs. Blair, Colman, Cotton, Daniel, Fletcher, Givens, Maxwell, Milroy, Morgan, Oliver and Watts—11.

So it was decided in the negative, and the said words not stricken out.

The bill was then amended in various of its details and some of its principles.

Mr. Givens then moved to strike out of the 15th line, in the 14th section, the words "twenty one," and insert the word "eighteen," which motion did not prevail.

Mr. Givens then moved to strike out of the same line, same section, the words "twenty-one," and insert in lieu thereof the word "nineteen:"

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Clark, Daniel, Givens, Graham, Lane and Maxwell,—6.

And those who voted in the negative, were,
Messrs. Blair, Canby, Colman, Cotton, Ewing, Fletcher, Gregory, Milroy, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—15.

So it was decided in the negative, and the said amendment refused.

Mr. Rariden then moved that the further consideration of the bill be postponed until the first Monday in December next; and on the question, shall the further consideration of this bill be so postponed?

It was decided in the negative, and the amendments to the said bill were then ordered to be engrossed, and with the bill read a third time to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives, have adopted a joint resolution from the Senate, entitled,

A joint resolution of the General Assembly of the state of Indiana, with amendments, in which the concurrence of the Senate is requested.

They insist on their disagreement to the amendment proposed by the Senate, to the bill of the House of Representatives, entitled an act to establish a College in the state of Indiana; which amendment was striking out the name of Seth M. Levenworth, of the county of Crawford, as one of the Trustees of said College, and inserting that of Samuel Hall, of Gibson county, in lieu thereof.

The Senate then proceeded to consider the amendments proposed by the House of Representatives, to the joint resolution of the General Assembly of the state of Indiana, from the Senate, and the first amendment having been read was concurred in, nem. con. and the second amendment being read was disagreed to by the Senate; and,

Mr. Farnham was instructed to inform the House of Representatives, that the Senate concur in the first amendment made by them to the joint resolution, but disagree to the second amendment proposed to said resolution.

The Senate then proceeded to consider their amendment proposed to the engrossed bill of the House of Representatives entitled an act to establish a College in the state of Indiana, and disagreed to by the House of Representatives, when,

Mr. Montgomery moved that the Senate do recede from their amendment to said bill;

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Colman, Cotton, Fletcher, Lane, Maxwell, Montgomery, Oliver and Watts—9.

And those who voted in the negative, were,

Messrs. Blair, Clark, Daniel, Ewing, Givens, Graham, Gregory, Morgan, Simonson and Smiley—10.

So it was decided in the negative, that the Senate do not recede from their said amendment; and,

On motion by Mr. Maxwell,

Ordered, That the Senate continue to insist on their amendment to said bill; and that Mr. Farnham inform the House of Representatives thereof.

Mr. Wick now informed the Senate, that he was instructed by the Governor, to announce to the Senate, that,

An act to establish a state road from Levenworth, via Bonö to Indianapolis, and for other purposes;

An act for the relief of Joseph Campbell;

An act to divorce Nancy Maddox from her husband David T. Maddox:

An act to establish a state road from New Castle in Henry county, to Lafayette in Tippecanoe county; and

An act legalizing the proceedings of the board of county commissioners of Shelby county;

Have on this day, (Jan. 21,) received his approbation and signature, and are now on file in the office of the Secretary of State.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed engrossed bills of the Senate, entitled acts, to-wit:

An act to provide for the government of the Seminary of Knox county; and,

An act to provide for the surveying and marking a road from Lake Michigan to Indianapolis; both without amendment.

The Senate now, according to order, resolved itself into committee of the whole on the bill, in addition to an act entitled an act, laying off certain state roads, and appropriating one hundred thousand dollars of the three per cent. fund for opening the same; Mr. Fletcher in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with progress made therein, and a re-

quest for leave to sit again: and on the question, shall the committee of the whole Senate have leave to sit again on said bill? It was decided in the affirmative, and leave granted.

And the Senate adjourned to nine o'clock to-morrow morning.

TUESDAY, JANUARY 22, 1823.

The Senate assembled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have appointed Messrs. Stapp and Wilson a committee of free conference, to act in conjunction with a similar committee heretofore appointed on the part of the Senate, to take into consideration the disagreeing votes of the two Houses, relative to the amendment proposed by the Senate to the bill of the House of Representatives, entitled

An act to establish a college in the state of Indiana:

And that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said enrolled bills last mentioned, having been signed by the President of the Senate, were handed to the committee on enrolled bills, to be laid before the Governor, for his approval and signature.

Mr. Milroy rose in his place, and read a resolution purporting to be a resolution of the Senate of Indiana; which resolution was seconded, and the substance of which, amongst other things, was requesting the Governor of this state, to correspond with General Andrew Jackson, relative to his construction of the constitution of the United States, on the power of Congress to appropriate monies for a general system of internal improvement, and their power to lay such protecting duties as will encourage domestic manufactures; and also to correspond with John Quincy Adams, President of the United States, relative to certain votes said to have been given by him, in the Senate of the United States, against the organization of Louisiana, and relative to a certain coalition, said to be formed between that gentleman and Mr. Clay; and which resolution, after being by him read in his place, he averred he would

not lay before the Senate, unless they would agree to pass the same without the least alteration or amendment; and although the said resolution having been seconded and read, and repeatedly called for by different members, Mr. Milroy persisted in withholding the same from the Senate.

Mr. Graham then rose and offered the following as a substitute for the resolution so withheld by Mr. Milroy, to-wit:

A Resolution of the Senate of Indiana.

WHEREAS, The friends of General Jackson in the Western States, advocate his election to the Presidency of the United States on the ground of his being friendly to Internal Improvements, and the advocate of a judicious tariff, for the protection of American Manufactures; and whereas, the friends of the same distinguished individual in Virginia, the Carolinas, Georgia, Tennessee, Alabama and Mississippi, advocate his claims to the first office in the nation, on account of his opposition to the above measures or system of policy—therefore, for the purpose of enabling the citizens of Indiana to ascertain what are the real sentiments of General Jackson, and to give them an opportunity to vote *understandingly* at the next Presidential election, in reference to these great interests;

Resolved, By the Senate, that his Excellency the Governor be requested to address a respectful letter to General Andrew Jackson, inviting him to state explicitly, whether he favors that construction of the constitution of the United States, which authorizes Congress to appropriate money for the purpose of making *internal improvements* in the several states, and whether he is in favor of such a system of protective duties for the benefit of American manufactures as will, in all cases where the raw material, and the ability to manufacture it, exist in our country, secure the patronage of our own manufactures, to the exclusion of those of foreign countries, and whether, if elected President of the United States, he will, in his public capacity, recommend, foster and support the *American System*.

Resolved, That his Excellency the Governor be requested, as soon as he receives the answer of General Jackson to the letter contemplated in the preceding resolution, to cause the same to be published, together with these resolutions, in the newspapers printed at Indianapolis."

And the said preamble and resolutions having been three times distinctly read in Senate.

On the question, Shall this preamble and resolutions be adopted?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Colman, Cotton, Ewing, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Oliver, Rariden and Watts—14.

And those who voted in the negative, were,

Messrs. Canby, Givens, Milroy, Simonson and Smiley—5.

So it was decided in the affirmative and the said resolution adopted.

The joint resolution of the General Assembly, authorizing the Treasurer of State to purchase a book, and keep certain records therein, was read a second time, and ordered for third reading to-morrow.

The engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways, as amended in Senate, was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill, and request their concurrence in the amendments made therein.

On motion, the committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, to authorize the leasing of a part of section 16, in township No. 15, north of range No. 7 east, in Hancock county;

And the said bill was ordered for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to incorporate the Indianapolis and White Water Turnpike Company;

An act to dissolve the Connersville library association;

An act to amend an act, entitled an act to provide for the election of electors of President and Vice President of the United States;

An act to divorce Elizabeth and Reuben Stout;

An act to amend the several acts regulating the judicial circuits, and fixing the times of holding courts therein;

An act to amend an act, entitled an act to establish county seminaries, in the several counties therein named, approved January 26, 1827;

An act supplemental to an act declaring Blue river a public highway;

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826; and

An act establishing the boundary line of Decatur county; and also,

A joint resolution, relative to the navigation of the Wabash river; and

A joint resolution and communication of the General Assembly of the state of Indiana to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie;

And find the same truly enrolled.

The Senate according to order, again resolved itself into committee of the whole, on the bill in addition to an act laying off certain state roads, and appropriating one hundred thousand dollars of the 3 per cent. fund, for opening the same, Mr. Fletcher in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with progress made therein, and a request for leave to sit again, and, by common consent, leave was granted to sit again.

The Senate, according to order, resolved itself into committee of the whole, on the bill to amend an act, entitled an act authorizing the writ of replevin, approved December 14, 1821, Mr. Givens in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the same to the Senate, with an amendment, which was by striking the same out from the enacting clause, and a request for concurrence in said amendment;

And on the question, will the Senate concur in the amendment made in committee of the whole to said bill? it was decided in the affirmative.

And the further consideration of said bill was postponed indefinitely.

And the Senate adjourned to two o'clock P. M.

Two o'clock, P. M.

The Senate assembled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that, the House of Representatives have passed bills of the following titles, viz:

An act directing the Secretary of State to procure a seal for the state;

An act to repeal in part an act, entitled an act to repeal part of the act entitled an act to amend an act entitled an act for opening public roads and highways, and for other purposes, approved February 12, 1825;

A joint resolution respecting certain lots in the town of Indianapolis:

They have also passed the bill from the Senate, entitled

An act for the relief of John Spencer, collector of Dearborn county, with amendments:

In which two first mentioned bills, the said joint resolution, and the amendments to the last named bill, the concurrence of the Senate is requested.

The engrossed bill of the House of Representatives, entitled an act directing the Secretary of State, to procure a seal for the state; and

The engrossed joint resolution of the House of Representatives, respecting certain lots in the town of Indianapolis;

Were severally read twice by common consent, and severally ordered for third reading to-morrow.

The engrossed bill to repeal in part, an act entitled an act to repeal part of the act entitled an act for opening public roads and highways, and for other purposes, approved February 12, 1825, from the House of Representatives, was read a first time and rejected.

The Senate then proceeded to consider the amendments proposed by the House of Representatives, to the engrossed bill of the Senate for the relief of John Spencer, collector of Dearborn county; when

Mr. Graham moved to amend the amendment of the House of Representatives, by adding thereto the following, to-wit: "Samuel Stanley, collector of Jackson county;" which amendment prevailed.

Several other amendments were proposed, some of which were adopted and some rejected;

And on the question, Will the Senate concur in the amendments made by the House of Representatives to the said bill, as amended in Senate? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Colman, Cotton, Ewing, Gregory, Lane, Maxwell and Milroy—8.

And those who voted in the negative, were,
Messrs. Blair, Clark, Givens, Graham, Montgomery, Morgan, Oliver, Rariden, Simonson, Smiley and Watts.—11.

So it was decided in the negative, and the aforesaid amendments of the House of Representatives, as amended in Senate, were not concurred in;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed engrossed bills of the Senate, entitled acts, viz:

An act to divorce Margaret Corbin, formerly Margaret Stockton, from her husband, Edward Corbin;

An act designating the boundaries of the counties therein named, and for other purposes;

An act to provide for the re-location of the seat of justice of Martin county, and extending the boundaries thereof;—all with amendments:

They have also passed the bill of the Senate, entitled

An act to enable the inhabitants of the congressional townships, in the several counties in this state, to express their assent or dissent to the sale of the 16th section in their respective townships, without amendment:

They concur in all the amendments made by the Senate, to the engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways, except the 19th and 20th amendments made by the Senate to said bill, to which said amendments the House of Representatives refuse to agree.

The Senate proceeded to consider the amendment proposed by the House of Representatives to the bill of the Senate, entitled an act to divorce Margaret Corbin, formerly Margaret Stockton, from her husband, Edward Corbin;

And the said amendment having been read, was concurred in.

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendment made by the House of Representatives, to the engrossed bill of the Senate, designating the boundaries of the counties therein named, and for other purposes; which amendment was read and concurred in;

And Mr. Farnham instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the amendment pro-

posed by the House of Representatives, to the engrossed bill of the Senate, providing for the re-location of the seat of justice of Martin county, and extending the boundaries thereof; which amendment having been read, was concurred in,

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate then proceeded to consider the objection made by the House of Representatives, to the 19th amendment proposed in Senate to the engrossed bill of the House of Representatives, entitled an act for opening and repairing public roads and highways; and,

On motion by Mr. Cotton,

Ordered, That the Senate do insist on the said 19th amendment, proposed by them to said bill.

The 20th amendment proposed in Senate to said bill, and disagreed to by the House of Representatives, was then read and receded from;

And Mr. Farnham was instructed to inform the House of Representatives, that the Senate insist on the 19th amendment, proposed by them to the said bill, and recede from the 20th amendment.

On motion, the committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, entitled an act making general appropriations for the year 1828;

And the bill was read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The Senate according to order, resolved itself into committee of the whole, on the bill for the improvement of the navigation of the White rivers, Mr. Graham in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate, with an amendment, which was read and concurred in.

Mr. Rariden then moved to further amend the said bill, by adding thereto the following section, to-wit:

Sec. And the sum of eight hundred dollars is hereby appropriated on the state road leading from the state line, via Richmond and Centreville, to Indianapolis, the same to be expended between the west fork of White Water river and Indianapolis; to be drawn on the order, and expended under the directions of John C. Kibby, of Wayne county;

And on the question, Shall this amendment be adopted? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Fletcher, Milroy, Morgan, Oliver, Rariden, Simonson, Smiley and Watts—8.

And those who voted in the negative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Daniel, Ewing, Givens, Graham, Gregory, Lane, Maxwell and Montgomery—13.

So it was decided in the negative, and the said amendment rejected.

Mr. Smiley then moved, that the further consideration of this bill be indefinitely postponed;

And on the question, Shall the further consideration of this bill be indefinitely postponed? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Colman, Morgan, Oliver, Rariden, Simonson and Smiley—6.

And those who voted in the negative, were,

Messrs. Blair, Canby, Clark, Cotton, Ewing, Fletcher, Givens, Gregory, Graham, Lane, Maxwell, Milroy, Montgomery and Watts—14.

So it was decided in the negative.

Mr. Smiley then offered the following amendment, as an additional section to said bill, to-wit:

That the sum of five hundred dollars is hereby appropriated to the improvement of state roads, in the counties of Fayette and Union, to be drawn on the order, and applied under the directions of the courts doing county business in said counties:

And on the question, Shall this amendment be adopted? it was decided in the negative.

Mr. Clark moved to amend the bill, by adding thereto the following, as an additional section, to-wit:

That the sum of three hundred dollars be, and the same is hereby appropriated to the improving the Blue river, in the counties of Harrison and Washington; and that Jacob Arganbright be, and he is hereby appointed a commissioner, to superintend the improvement of the same, with the same allowance as made to the other commissioners, for similar services:

And on the question, Shall this amendment be adopted? it was decided in the negative.

Mr. Ewing then moved to amend the said bill, by adding thereto the following, as an additional section, to-wit:

That the sum of one thousand dollars is hereby appropriated, to aid in improving the rapids, and removing the obstructions in the river Wabash, to be paid over to the agent of the 3 per cent. fund, and retained by him, with that portion of the 3 per cent. fund belonging to certain counties, and already set apart for that purpose:

When Mr. Colman moved to amend the proposed amendment made by Mr. Ewing, by striking out the words following, to-wit: "and removing the obstructions;"

And on the question, Shall these words be stricken out? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Canby, Colman, Cotton, Givens, Montgomery, Morgan, Oliver, Simonson and Watts—9.

And those who voted in the negative, were,
Messrs. Blair, Clark, Ewing, Fletcher, Graham, Gregory, Lane, Maxwell, Milroy and Smiley—10.

So it was decided in the negative, and the said words were not stricken out.

Mr. Clark then moved to amend the amendment proposed by Mr. Ewing, by striking out "one thousand," and inserting "two thousand;"

Which amendment was adopted, and the amendment proposed by Mr. Ewing, as amended by Mr. Clark, was adopted;

And the bill, as amended, was ordered to be engrossed for third reading to-morrow.

On motion, the committee of the whole Senate was discharged from the further consideration of the engrossed bill of the House of Representatives, establishing a state road from Indianapolis, via Danville and Rockville, to Montezuma.

And on motion by Mr. Fletcher, the bill was amended in the first section, by inserting the name of "Joel Wright, of Marion county," and also by adding to the first section the following words, to-wit:

And no more than two commissioners shall be employed at any one time, for which they shall be allowed payment under the provisions of this act.

And the bill was further amended, on motion by Mr. Fletcher, in the 6th section thereof, by the words "twenty-five cents," after one dollar.

Mr. Oliver then moved, that the further consideration of this bill be indefinitely postponed;

And on the question, Shall the further consideration of this

bill be indefinitely postponed? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Colman, Gregory, Milroy, Oliver and Watts—5.

And those who voted in the negative, were,
Messrs. Blair, Canby, Clark, Ewing, Fletcher, Givens, Lane, Montgomery, Morgan, Rariden, Simonsen and Smiley—12.

So it was decided in the negative.

Mr. Fletcher then moved, further to amend the said bill, by adding thereto the following section, to-wit:

Sec. That so much of the act to provide for the surveying of a state road from Indianapolis to Newport, in Vermillion county, Indiana, approved January 26, 1827, as comes within the purview of this act be, and the same is hereby repealed;

And on the question, Shall this amendment be adopted? it was decided in the affirmative.

Mr. Colman then moved, that the said bill be laid on the table, which motion was decided in the negative;

And the amendments were ordered to be engrossed, and, with the bill, read a third time to-morrow.

Mr. Lane, from the joint committee for enrolled bills, reported, that they did on this day present to His Excellency the Governor, for his approval and signature the following acts and joint resolution, to-wit:

An act vacating the town of Greenfield, in the county of Vigo;

An act to establish a state road from Carlisle, in Sullivan county, to Spencer, in Owen county;

An act to locate and open a state road from Crawfordsville, in Montgomery county, to Indianapolis;

An act for the relief of Robert Martin; and

A joint resolution to provide the Wabash and Miami canal commissioners with a copy of Strickland's Reports.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed a bill, entitled

An act for the relief of William Williams and Jesse Gifford; in which they ask the concurrence of the Senate:

They recede from the second amendment proposed by them to the joint resolution of the Senate, entitled

A joint resolution of the General Assembly of the State of Indiana, on the subject of internal improvements and domestic manufactures;

They also recede from their disagreement to the 19th amend.

ment of the Senate, to the engrossed bill of the House of Representatives, entitled

An act for opening and repairing public roads and highways;

They insist on their amendments to the engrossed bill of the Senate, entitled

An act for the relief of John Spencer, collector of Dearborn county;

To which amendments the Senate have disagreed, and have appointed Messrs. Stapp and Bassett a committee of free conference, to take said subject matter of difference between the two Houses into consideration, in conjunction with a similar committee to be appointed on the part of the Senate, for that purpose; the appointment of which committee, on the part of the Senate, is requested: and

On motion by Mr. Watts,

Ordered, That a committee of free conference be appointed, on the part of the Senate, to act with the committee of free conference already appointed on the part of the House of Representatives, to confer on the subject matter of disagreement between the two Houses, relative to the amendments proposed by the House of Representatives, to the engrossed bill of the Senate, for the relief of John Spencer, sheriff of Dearborn county, and Messrs. Watts and Oliver were appointed that committee, on the part of the Senate;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

And the Senate adjourned to nine o'clock to-morrow morning

WEDNESDAY, JANUARY 23, 1828.

The Senate assembled.

Mr. Fletcher from the joint committee of free conference to whom was referred the subject matter of disagreement between the two Houses, on the bill of the House of Representatives, entitled an act to establish a College in the state of Indiana, have had that matter under their consideration, and have agreed that the Senate do recede from their amendment, by which the name of Samuel Hall was substituted in the place of Seth M. Levenworth; and the report being read, was concurred in:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Watts, from the committee of free conference on the subject, now made the following report, to-wit:

"The committee of free conference, to whom was referred the subject matter in difference between the two Houses, relative to the bill for the relief of John Spencer, collector of Dearborn county, and for other purposes, report, that they have had the same under consideration, and agree that the Senate recede from their disagreement to the amendments to said bill by the House of Representatives, and that the first section of said bill be amended by striking out the counties of Scott and Dubois."

And on the question, shall this report be concurred in?

The ayes and noes being demanded by two members;

Those who voted in the affirmative, were,
Messrs. Canby, Clark, Cotton, Gregory, Maxwell, Milroy, Oliver, Rariden, Simonson, Smiley and Watts—11.

And those who voted in the negative, were,
Messrs. Blair, Colman, Daniel, Fletcher, Givens, Graham, Lane, Montgomery and Morgan—9.

So it was decided in the affirmative, and the said report concurred in.

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, entitled an act for the relief of William Williams and Jesse Gifford, was twice read by common consent; when,

Mr. Fletcher moved that the further consideration of the said bill be postponed indefinitely;

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,
Messrs. Canby, Colman, Cotton, Fletcher, Graham, Lane, Maxwell, Montgomery, Rariden and Simonson—10.

And those who voted in the negative, were,
Messrs. Blair, Clark, Daniel, Ewing, Givens, Gregory, Milroy, Oliver, Smiley and Watts—10.

And the Senate being equally divided, the President decided in the negative, and the said bill was not postponed indefinitely.

Mr. Rariden then moved to amend the said bill by striking out the preamble:

Which motion prevailed, and the preamble was stricken out.

Mr. Rariden then moved to amend the bill by striking out the first section thereof;

And on the question, shall the first section be stricken out? The ayes and noes being demanded by two members,

Those who voted in the affirmative were,
Messrs: Canby, Colman, Cotton, Fletcher, Graham, Lane, Montgomery, Rariden and Simonson—9.

And those who voted in the negative, were,
Messrs. Blair, Clark, Daniel, Ewing, Givens, Gregory, Maxwell, Oliver, Smiley and Watts—10.

So it was decided in the negative, and the said bill was ordered for third reading to-morrow.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to incorporate the Franklin Cotton Manufacturing Company, and the White Water Cotton Manufacturing Company; and,

An act to divorce certain persons therein named; and find the same truly enrolled.

Mr. Simonson from the committee on Canals and Internal Improvements, to whom the subject had been referred, now made the following report, to-wit:

The committee on Canals and Internal Improvements, to whom was referred the message of the Governor, enclosing a letter, &c. from T. W. Powell, have had the same under consideration, and are of opinion that said communication from Mr. Powell, furnishes no data upon which they could recommend legislative enactment. The propriety of corresponding with the authorities of Ohio, on the subject of connecting the waters of Lake Erie with those of the Wabash, by means of a Canal, has already been determined by a joint resolution of this legislature. Should the state of Ohio incorporate a company to improve the navigation of the Maumee river, by canalizing to the line dividing Ohio and Indiana, the committee are of opinion that it would be proper for this state to take stock in that company, to the value of the land granted this state, within the state of Ohio; but deem it inexpedient to authorize a subscription for stock, until informed of the incorporation of such company, the powers and privileges conferred by the charter, and the completion of the work guarantied by the state of Ohio.

And the said report having been read, was concurred in.

The engrossed bill of the House of Representatives, directing the Secretary of State to procure a seal for the state, was

read a third time, and on the question, shall this bill pass? It was decided in the negative.

The engrossed bill of the House of Representatives to authorize the leasing of a part of section 16, in township No. 15, north of range No. 7, east, in Hancock county, was read a third time, and on the question, shall this bill pass? It was decided in the negative.

The engrossed joint resolution of the House of Representatives respecting certain lots in the town of Indianapolis, was read a third time, and passed without amendment;

And the Secretary was instructed to inform the House of Representatives thereof.

The engrossed joint resolution of the General Assembly of the state of Indiana, authorizing the Treasurer of State to purchase a book, and make certain records therein, was read a third time and passed;

And the Secretary was instructed to inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill of the House of Representatives, establishing a state road from Indianapolis via Danville and Rockville to Montezuma, as amended in Senate, was read a third time;

And on the question, shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Daniel, Ewing, Fletcher, Givens, Graham, Gregory, Lane, Maxwell, Montgomery, Morgan, Rariden, Simonson and Smiley—16.

And those who voted in the negative, were,

Messrs. Colman, Cotton, Milroy, Oliver and Watts—5.

So it was decided in the affirmative, and the said bill passed, and,

The Secretary was instructed to inform the House of Representatives thereof, and request their concurrence in the said amendments.

The engrossed bill of the Senate to improve the navigation of certain rivers in this state, was read a third time;

And on the question, shall this bill pass? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Cotton, Ewing, Fletcher, Graham, Gregory, Lane, Maxwell, Milroy, Montgomery and Watts—13.

And those who voted in the negative, were.

Messrs. Colman, Daniel, Givens, Morgan, Oliver, Rariden, Simonson and Smiley—8.

So it was decided in the affirmative, and the said bill passed, and,

The Secretary was instructed to inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Rariden,

The committee of the whole Senate was discharged from the further consideration of the bill, in addition to the act, entitled an act, laying off certain state roads, and appropriating one hundred thousand dollars of the three per centum fund, for opening the same, when,

Mr. Rariden moved that the further consideration thereof be postponed until the first Monday in December next:

And on the question, shall this bill be postponed until the first Monday in December next?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Cotton, Daniel, Graham, Gregory, Morgan, Oliver, Rariden, Simonson and Smiley—10.

And those who voted in the negative, were,

Messrs. Blair, Clark, Colman, Ewing, Fletcher, Lane, Milroy and Watts—8.

So it was decided in the affirmative, and the said bill was postponed until the first Monday in December next.

On motion,

The committee of the whole Senate was discharged from the further consideration of the bill to amend the several acts now in force in this state for assessing and collecting the revenue, and the amendments made to said bill in the House of Representatives, being now considered, the first amendment was concurred in, and the second amendment being under consideration,

Mr. Clark moved to amend the same, by adding thereto the following, to-wit: "The rate of each tract of land shall be made agreeable to valuation:"

And on the question, shall this amendment be adopted? It was decided in the negative; the said second amendment was then read and concurred in.

And the Senate adjourned to two o'clock this afternoon.

Two o'clock, P. M.

The Senate assembled.

On motion,

The Senate now resolved itself into committee of the whole Senate on the engrossed amendments of the House of Representatives, to amend the several acts now in force in this state, for assessing and collecting the revenue; Mr. Gregory in the chair;

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the amendments to the Senate, with sundry amendments made therein, in which he requested the concurrence of the Senate; and the said amendments as amended, were concurred in;

And Mr. Farnham was instructed to inform the House of Representatives, that the Senate have concurred in their amendments to said bill, with amendments, in which amendments to the amendments the concurrence of that House is requested.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bill, entitled an act, to-wit:

An act making general appropriations for the year 1828;

Also, a joint resolution respecting certain lots in the town of Indianapolis; and find the same truly enrolled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed a bill, entitled an act, supplemental to an act, entitled an act to amend an act entitled an act, to provide for the election of electors of President and Vice President of the United States, approved, January 23d, 1823;

And a joint resolution requiring certain duties to be performed by the Agent of State, at the town of Indianapolis:

In both of which they ask the concurrence of the Senate.

They concur in the report of the joint committee of free conference appointed to take into consideration the disagreeing votes of the two Houses, relative to the amendment made by the Senate to the bill of the House of Representatives, entitled an act to establish a College in the state of Indiana.

They also concur in the report of the joint committee of free conference, appointed to take into consideration the subject matter of difference between the two Houses, relative to the amendment proposed by the House of Representatives to the bill of the Senate, entitled an act for the relief of John Spencer, collector of Dearborn county.

The engrossed bill from the House of Representatives, entitled an act supplemental to an act, entitled an act, to provide for the election of President and Vice President of the United States; and,

The engrossed joint resolution of the House of Representatives, requiring certain duties to be performed by the Agent of State for the town of Indianapolis;

Were severally read three times by common consent, and passed without amendment:

Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed bills of the following titles, to-wit:

An act for locating and opening a state road from the Ohio river, opposite the Yellow Banks, in Kentucky, to Princeton;

An act making specific appropriations for the year 1828;

An act restoring a certain portion of the three per centum fund to the state road from New Albany to Vincennes, taken from it by the act of January 31, 1824, and applied to the Wabash river; and,

An act to revive the act entitled an act, authorizing called sessions of the Circuit Courts, so far as relates to the 4th Judicial Circuit, and for other purposes;

In which the concurrence of the Senate is requested.

They have also passed an engrossed bill of the Senate, entitled an act to authorize persons to retail spiritous or strong liquors without the requisitions of a tavern keeper, with an amendment.

The engrossed bill of the House of Representatives, entitled an act for locating and opening a state road from the Ohio river opposite the Yellow Banks, in Kentucky, to Princeton, was twice read by common consent, and ordered for third reading to-morrow.

The engrossed bill of the House of Representatives, entitled an act making specific appropriations for the year 1828, was twice read by common consent, committed to a committee of the whole Senate, and made the order of the day for this day, now;

Thereupon, the Senate according to order, resolved itself into committee of the whole on said bill, Mr. Lane in the chair:

When, after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with sundry amendments, which were read and concurred in;

And the amendments made in said bill were ordered to be engrossed for third reading to-morrow.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the joint resolution from the Senate, entitled,

"A joint resolution of the General Assembly," without amendment. And that,

The Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

They have passed the engrossed bill of the Senate, entitled an act to establish a Loan Office in the state of Indiana, with an amendment, in which the concurrence of the Senate is requested.

And the said enrolled bills last mentioned, were now signed by the President of the Senate, and handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have received official information that his Excellency the Governor did on the 19th inst. approve and sign the following enrolled bills, entitled acts, to-wit:

An act to establish a state road from Shelbyville to intersect the Madison state road in the county of Jennings;

An act supplemental to the act entitled an act to establish a board of Trustees for the promotion of schools and education in Clark's Grant;

An act respecting a county Seminary, and the Seminary funds of the county of Switzerland; and,

An act to incorporate the Montezuma Agricultural and Domestic Manufacturing Association.

On the 21st inst. an act for the relief of Caleb Harrison;

An act for the benefit of Peter Charley, Elijah Hurst and John Watkins, late Trustees of congressional township No. 3, south of range No. 4, east, in the Jeffersonville district;

An act amendatory of the act entitled an act for the relief of the poor, approved, January 30, 1824;

An act making an appropriation for the completion of the House for the Executive of State, and for other purposes;

An act for the benefit of the Gibson county Seminary;

An act for the relief of purchasers of lots in the town of Indianapolis, which have become forfeited to the state; and,

An act relative to limited partnerships.

On the 23d instant, an act to establish a state road from Carlisle in Sullivan county, to Spencer in Owen county;

An act to locate and open a state road from Crawfordsville in Montgomery county to Indianapolis;

An act for the relief of Robert Martin; and,

An act vacating the town of Greenfield in the county of Vigo;

All of which originated in the House of Representatives.

They have passed the engrossed bill of the Senate, entitled an act, to amend the act entitled an act, providing for the incorporation of towns, approved, January 30, 1824, without amendment.

And that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said several enrolled bills, last above reported as having been signed by the Speaker of the House of Representatives, were now signed by the President of the Senate, and handed over to the committee on enrolled bills, to be laid before the Governor, for his approval and signature.

On motion by Mr. Simonson,

The resolution offered by Mr. Ewing, concurring in the resolution of the House of Representatives, that both Houses do adjourn the present session, was now taken up and adopted:

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act, to revive an act entitled an act, authorizing called sessions of the Circuit Courts, so far as relates to the 4th Judicial Circuit, and for other purposes, was read twice by common consent; when,

Mr. Rariden moved that the further consideration of the same be indefinitely postponed; when,

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Clark, Colman, Daniel, Ewing, Gregory, Lane, Maxwell, Morgan, Rariden and Smiley—11.

And those who voted in the negative, were,

Messrs. Blair, Cotton, Givens, Graham, Milroy, Montgomery, Simonson and Watts—8.

So it was decided in the affirmative, and the said bill indefinitely postponed.

The engrossed bill of the House of Representatives, entitled an act restoring a certain portion of the three per centum fund to the state road from New Albany to Vincennes, taken from

it by the act of January 31, 1824, and applied to the Wabash river, was read a first time; when,

On motion by Mr. Clark,

To reject the same, the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Canby, Clark, Colman, Cotton, Ewing, Graham, Maxwell, Montgomery, Morgan, Rariden, Smiley and Watts—13.

And those who voted in the negative, were,

Messrs. Daniel, Givens, Gregory, Lane, Milroy and Simonson—6.

So it was decided in the affirmative, and the said bill rejected.

The Senate now proceeded to consider the amendment proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act, to establish a Loan Office in the state of Indiana; and the said amendment being now read in Senate, was concurred in;

And Mr. Farnham was instructed to inform the House of Representatives of the concurrence of the Senate in the said amendment.

The Senate then proceeded to consider the amendments proposed by the House of Representatives, to the engrossed bill of the Senate, entitled an act to authorize persons to retail spiritous or strong liquors, without the requisitions of a tavern keeper, and the said amendments were read and concurred in;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the joint resolution of the Senate, entitled, a joint resolution of the General Assembly of the state of Indiana, authorizing the Treasurer of State to purchase a book, and make certain entries therein, without amendment.

They concur in the 1st, 3d, 4th and 5th amendments proposed by the Senate, to the engrossed bill of the House of Representatives, entitled an act, to establish a state road from Indianapolis via Danville and Rockville to Montezuma; and they also concur in the 2d amendment to said bill, with an amendment, in which they ask the concurrence of the Senate.

The Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

And the said several enrolled bills, last reported to the Senate, as having been signed by the Speaker of the House of

Representatives, were now signed by the President of the Senate, and handed to the committee on enrolled bills, to be laid before the Governor, for his approval and signature.

The Senate according to order, resolved itself into committee of the whole on the bill, amendatory of the act for the better management of the State Prison; Mr. Maxwell in the chair;

When after some time spent thereon, the committee rose, Mr. President resumed the chair, and Mr. Chairman reported the bill to the Senate with an amendment, which was by striking out the same from the enacting clause; which amendment was concurred in by the Senate, and the further consideration of the said bill indefinitely postponed.

On motion,

The committee of the whole Senate was discharged from the further consideration of the bill to amend the act entitled an act regulating divorces, approved, January 22, 1824; when,

Mr. Watts moved that the further consideration of the said bill be postponed indefinitely;

And on this question, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Canby, Cotton, Fletcher, Milroy, Montgomery and Watts—6.

And those who voted in the negative were,

Messrs. Blair, Clark, Colman, Daniel, Ewing, Givens, Graham, Gregory, Lane, Maxwell, Morgan, Rariden, Simonson and Smiley—14.

So it was decided in the negative, and the said bill was not indefinitely postponed.

Mr. Watts then moved to amend the bill by adding thereto the following, to-wit:

And the Courts deciding said divorces, shall make a record of all causes assigned for granting the same, and the proof on the subject, and if the parties divorced are not separated for the causes of fornication or adultery, they shall be under the same pains and penalties on contracting marriage, as they would have been if the said separation had not taken place;

And on the question, shall this amendment be adopted? It was decided in the negative.

The bill was then read a third time, and on the question, shall this bill pass?

The ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Colman, Daniel, Ewing, Fletcher, Giv-

ens, Graham, Gregory, Lane, Maxwell, Morgan and Rariden—13.

And those who voted in the negative, were,
Messrs. Canby, Cotton, Milroy, Montgomery, Simonson, Smiley and Watts—7.

So it was decided in the affirmative, and the said bill passed;
And Mr. Farnham was instructed to inform the House of Representatives thereof, and request concurrence therein.

On motion,

The committee of the whole Senate was discharged from the further consideration of the bill to amend the act entitled an act, to establish a state road from Terre Haute to Fort Wayne, and the bill was amended by common consent, read a third time, and passed;

And Mr. Farnham instructed to, inform the House of Representatives thereof, and request their concurrence therein.

On motion,

The vote was reconsidered, ordering the bill making specific appropriations for the year 1828, for third reading to-morrow, and the said bill was read a third time and passed;

And Mr. Farnham was instructed to inform the House of Representatives of the passage of said bill with amendments, in which the concurrence of the House of Representatives is requested.

Mr. Lane from the joint committee on enrolled bills, now reported that they did upon this day present present to his excellency the Governor, for his approval and signature, the following acts and joint resolution, to-wit:

An act to incorporate the Indianapolis and White Water Company;

An act to amend an act entitled an act amendatory of the law and for the better advancement of justice, approved, January 20th, 1826;

An act to incorporate the Franklin Cotton Manufacturing Company, and the White Water Cotton Manufacturing Company;

An act to divorce Elizabeth and Reuben Stout;

An act supplemental to an act declaring Blue river a public highway;

An act to amend an act, entitled an act, to establish county Seminaries in the several counties therein named, approved, January 26, 1827;

An act to dissolve the Connersville Library Association;

An act establishing the boundary line of Decatur county;

An act to amend an act entitled an act to provide for the

election of electors of President and Vice President of the United States;

An act to amend the several acts regulating the Judicial Circuits and fixing the times of holding Courts therein; and,

An act to divorce certain persons therein named;

A joint resolution and communication of the General Assembly of the state of Indiana, to the General Assembly of the state of Ohio, on the subject of connecting the waters of the Wabash river with those of Lake Erie; and,

A joint resolution relative to the navigation of the Wabash river;

An act making general appropriations for the year 1823;

And a joint resolution respecting certain lots in the town of Indianapolis.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to attach certain territory to the counties therein named;

An act to provide for the government of the Seminary of Knox county; and,

An act to provide for surveying and marking a road from Lake Michigan to Indianapolis: and find the same truly enrolled.

On motion by Mr. Montgomery,

The Senate reconsidered their vote, ordering the engrossed bill for locating and opening a state road from the Ohio river, opposite the Yellow Banks, in Kentucky, to Princeton;

And the said bill was read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

On motion by Mr. Morgan,

The Senate reconsidered their vote on the passage of the engrossed bill of the House of Representatives to authorize the leasing of a part of section 16, in township No. 15, north of range No. 7, east, in Hancock county;

And the said bill was amended by common consent, and passed;

And Mr. Farnham was instructed to inform the House of Representatives thereof, and request their concurrence in the said amendment.

On motion,

The Senate now reconsidered their vote, ordering the engrossed bill of the House of Representatives, for the relief of

William Williams and Jesse Gifford, for third reading to-morrow;

And the said bill was read a third time, and passed without amendment;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

The President laid before the Senate, the following communication from Mr. Coe, chairman of the Sabbath School Society, to-wit:

HON. JOHN H. THOMPSON, President of the Senate:

SIR: Herewith is a package of the first annual report of the "Indiana Sabbath School Union," containing directions for forming and conducting Sabbath Schools.

They were published by the state Sabbath School Society, with a view to promote the establishment, and increase the usefulness of Sabbath Schools in our state; and copies have been sent, it is believed, to every county in the state.

As a further mean of disseminating the information they contain, a copy is herewith sent for each member and officer of the Senate, which they will please accept for the purpose of aiding in the formation and improvement of Sabbath Schools in their respective districts.

On behalf of the committee of publication,
ISAAC COE, CHAIRMAN.

J. M. RAY, *Secretary*.

And the said communication having been read, and the books therein referred to, delivered to the members, conformably to the request therein contained;

The Senate adjourned to six o'clock this evening.

Six o'clock, P. M.

The Senate assembled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives recede from the 1st, 3d and 6th amendments proposed by them, to the bill of the Senate, entitled an act to amend the several acts now in force in this state, relative to assessing and collecting the revenue; and insist on the 2d and 4th amendments made by them to said bill.

The Senate proceeded to consider the 2d and 4th amendments made by the House of Representatives, to the engrossed bill of the Senate, entitled an act to amend the several acts now in force in this state, relative to assessing and collecting the revenue, and insisted on by the House of Representatives; and,

On motion by Mr. Gregory,

Ordered, That the Senate recede from their objections to the said 2d and 4th amendments, and that the House of Representatives be informed thereof.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the following enrolled with the engrossed bill, entitled an act, to-wit:

An act to establish a College in the state of Indiana; and find the same truly enrolled.

On motion by Mr. Simonson,

Resolved, That the Doorkeeper be directed to call upon the Public Printer, and procure one copy of the Journals of the Senate, for the present session, for each of the Members and officers, as far as the same may be printed.

Mr. Milroy, a member of the Senate, now entered his protest against a certain resolution of the Senate, in the following words, to-wit:

PROTEST ENTERED BY JOHN MILROY.

I do, for myself, and the friends of Gen. Andrew Jackson, protest against the resolution of this Senate, of the 22d inst. for the following reasons, viz:

1st. That the resolution read in my place was not with my intention meant to be for record, but for the following reasons:

That some of the friends of the Administration had solicited some enactment or resolution, to procure an explanation of his views on the subject of internal improvement and domestic manufactures, and had proposed a resolution, which I was desired to offer, which I agreed to on conditions of having the right to alter or amend, change, &c. which was handed to me, and on considering the propriety of such legislation, did and now do consider such subjects improper subjects for legislation.

And further believing that General Jackson has made and given such evidence of his views on those subjects, that for any legislative proceedings, with a view to draw from him any further declarations on those subjects, would be a direct charge on his integrity and consistency, as an honest man and a politician.

His votes in the Senate of the United States will fully show that he is not only the firm and decided friend of internal improvement, to the full extent that the friends of that system do themselves construe the constitution to authorize.

And that in his votes on the tariff of eighteen hundred and twenty-four, proves also that he did go as far as the friends of that system. From these numerous votes given by him, and which stand recorded on the Journals of the Senate of the United States, when he was a member, with letters which he has written to individuals, using arguments to prove the propriety of such a system of domestic manufactory, and the propriety of protecting duties, &c.

Therefore, legislative proceeding on those subjects is by me, considered as an attack on his integrity; but, believe, were his friends to write to him, that he would give his views in full, which would shut the mouths of his enemies on such subjects;

Wherefore, the undersigned enters his protest.

JOHN MILROY.

The President having retired, Mr. Graham was called to the chair, by unanimous consent; when,

Mr. Morgan offered for consideration and adoption the following resolution, to-wit:

Resolved, That the thanks of the Senate be presented to the Hon. John H. Thompson, for the dignified and impartial manner in which he has discharged the duties of the chair, during the present session.

And the said resolution having been read, was adopted unanimously.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have passed the bill of the Senate entitled,

An act to improve the navigation of certain rivers in this state, with an amendment; in which the concurrence of the Senate is requested.

They concur in all the amendments proposed by the Senate, to the bill of the House of Representatives, entitled an act, making specific appropriations for the year 1828; and,

They concur in the amendment made by the Senate, to the bill of the House of Representatives, entitled an act to authorize the leasing of part of section 16, in township No. 15, north of range No. 7, east, in Hancock county.

The Senate then proceeded to consider the amendment proposed by the House of Representatives, to the engrossed bill

of the Senate, entitled an act to improve the navigation of certain rivers in this state; when,

Mr. Rariden moved to amend the amendment of the House of Representatives, by adding thereto the following, to-wit:

"And five hundred dollars is hereby appropriated to the road leading from the state line, by the way of Richmond and Centreville to Indianapolis, to be drawn and expended by John C. Kibby;"

And on the question, shall this amendment be adopted? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Morgan, Rariden, Simonson, Smiley and Watts—6.

And those who voted in the negative, were,

Messrs. Blair, Clark, Cotton, Daniel, Ewing, Fletcher, Givens, Gregory, Lane, Maxwell, Milroy and Montgomery—12.

So it was decided in the negative, and the said amendment rejected.

Mr. Simonson then offered the following, as an amendment to the amendment of the House of Representatives "and \$200 be, and is hereby appropriated for locating and opening a road from the falls of the Driftwood fork of White river, to Jacobs' ford, on Silver creek, in Clark county, that John F. Randolph, of said county, be appointed a commissioner to mark and locate the same;

And on the question, Will the Senate amend the said amendment, as above proposed? the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Canby, Givens, Graham, Morgan, Rariden, Simonson and Smiley—7.

And those who voted in the negative, were,

Messrs. Blair, Clark, Cotton, Daniel, Ewing, Fletcher, Gregory, Lane, Maxwell, Milroy, Montgomery and Watts—12.

So it was decided in the negative, and the said amendment not adopted.

Mr. Morgan then moved to amend the bill, by adding thereto the following section, to-wit:

"That three hundred dollars be, and the same is hereby appropriated, to be drawn and laid out by North Parker, of Rush county, on the state road leading from Greensburgh, in Decatur county, to New Castle, in Henry county;

And on the offering of the foregoing amendment by Mr. Morgan, the previous question was called for by several mem-

bers, and the President having stated from the chair; Shall the main question be now put? it was decided in the affirmative;

The question was then put, Will the Senate concur in the amendment made by the House of Representatives to said bill?

And the ayes and noes being demanded by two members,

Those who voted in the affirmative, were,

Messrs. Blair, Clark, Cotton, Daniel, Ewing, Fletcher, Gregory, Lane, Milroy, Montgomery and Watts—11.

And those who voted in the negative, were,

Messrs. Canby, Colman, Graham, Givens, Morgan, Rariden, Simonson and Smiley—8.

So it was decided in the affirmative;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the engrossed bill of the Senate, entitled

An act to amend an act entitled an act to establish a state road from Terre Haute to Fort Wayne—without amendment.

And the enrolled bills, last above reported as having been signed by the Speaker of the House of Representatives were now signed by the President of the Senate, and handed over to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

And the Senate adjourned to six o'clock to-morrow morning.

THURSDAY, JANUARY 24, 1828.

The Senate assembled.

Mr. Fletcher, from the joint committee on enrolled bills, now reported, that they have compared the engrossed with the enrolled bills, of the following titles, to-wit:

An act to authorize the loaning of the seminary funds;

An act to enable the inhabitants of the congressional townships, in the several counties in this state, to express their assent or dissent to the sale of the 16th section in their respective townships;

An act to authorize persons to retail spiritous or strong liquors, without the requisitions of a tavern keeper;

An act to amend an act entitled an act to establish a state road from Terre Haute to Fort Wayne;

An act to provide for the re-location of the seat of justice of Martin county, and extending the boundaries thereof;

An act authorizing the leasing of section 16, in township No. 15, north of range No. 7 east, in Hancock county, and for other purposes;

An act to establish a state road from Indianapolis, via Danville and Rockville, to Montezuma;

An act making specific appropriations for the year 1828; also,

A joint resolution of the General Assembly of the state of Indiana, authorizing the Treasurer of State to purchase a book, and make certain records therein;

And a joint resolution of the General Assembly;—and find the same truly enrolled.

Mr. Fletcher, from the joint committee for enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act supplemental to an act, entitled an act to amend an act entitled an act to provide for the election of electors of President and Vice President of the United States;

An act for opening and repairing public roads and highways;

An act for locating and opening a state road from the Ohio river, opposite the Yellow Banks in Kentucky, to Princeton; and

An act for the relief of William Williams and Jesse Gifford; and also,

A joint resolution requiring certain duties to be performed by the agent of state, for the town of Indianapolis;—and find the same truly enrolled.

Mr. Lane, from the joint committee on enrolled bills, now reports, that they have this day presented to the Governor for his approval and signature, the following enrolled bills, entitled acts, to-wit:

An act to provide for surveying and marking a road from Lake Michigan to Indianapolis;

An act to attach a certain territory to the counties therein named;

An act to establish a college in the state of Indiana; and

An act for the government of the seminary of Knox county.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the Speaker of the House of Representatives having signed several enrolled bills, he was instructed to bring them to the Senate for the signature of their President.

And the said enrolled bills last mentioned, being now signed by the President of the Senate, were handed to the committee on enrolled bills, to be laid before the Governor for his approval and signature.

Mr. Fletcher, from the joint committee for enrolled bills, now reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to-wit:

An act to amend the act entitled an act providing for the incorporation of towns, approved January 30th, 1824;

An act to amend the several acts now in force in this state, relative to assessing and collecting the revenue;

An act for the relief of John Spencer, collector of Dearborn county, and for other purposes; and also,

A joint resolution of the General Assembly of the State of Indiana, on the subject of internal improvements and domestic manufactures;—and find the same duly enrolled.

On motion by Mr. Colman, the following is ordered to be spread on the Journals of the Senate, to-wit:

The undersigned members of the Senate of Indiana, having seen and heard the protest which Mr. Milroy, of the district composed of the counties of Lawrence and Orange, has entered on the Journals of the Senate, do aver and certify, that they never did, individually or collectively, express any design or intention on their part, to draw from General Jackson the expression of his opinions on the subject of internal improvement and domestic manufactures, until after Mr. Milroy had himself proposed to offer a resolution to that effect, and until Mr. Milroy had offered a resolution himself on the subject; and that Mr. Milroy's movement in this matter gave occasion to the resolution of the Senate, which was adopted.

<i>William Graham,</i>	<i>Wm. Cotton,</i>
<i>James Gregory,</i>	<i>Amz. Morgan,</i>
<i>M. G. Clark,</i>	<i>John Watts,</i>
<i>James Rariden,</i>	<i>D. C. Lane,</i>
<i>J. Montgomery,</i>	<i>John M. Colman,</i>
<i>James Blair,</i>	<i>John Daniel.</i>
<i>John S. Simpson,</i>	

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the House of Representatives have adopted the following resolution, viz:

Resolved, That a committee be appointed on the part of this House, to act with a similar committee to be appointed on the part of the Senate, to wait upon his Excellency the Governor, and inform him, that the two Houses of the General Assembly, having gone through their legislative business, are ready to adjourn, *sine die*, provided he has no further communication to make to them; and the House of Representatives have, on their part, appointed Messrs. Stapp and Howk such committee.

On motion by Mr. Colman,

Resolved, That a committee be appointed, on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to wait upon his Excellency the Governor, and inform him that the two Houses of the General Assembly have gone through their business, and will adjourn this day, *sine die*, provided he has no further communication to make to them; and that the House of Representatives be informed of the adoption of this resolution.

And Messrs. Colman and Clark are appointed that committee on the part of the Senate;

And Mr. Farnham was instructed to inform the House of Representatives thereof.

Mr. Lane from the joint committee on enrolled bills reported, that they did on this day present to his Excellency the Governor, for his approval and signature, the following acts, to-wit:

An act for opening and repairing public roads and highways;

An act to authorize the leasing of section 16, in township number 15, north of range number 7 east, in Hancock county, and for other purposes;

An act to authorize the loaning of the seminary funds;

An act to establish a state road, via Danville and Rockville, to Montezuma;

An act for the relief of John Spencer, collector of Dearborn county, and for other purposes;

An act for locating and opening a state road from the Ohio river, opposite the Yellow Banks, in Kentucky, to Princeton;

An act to amend the several acts now in force in this state, relative to assessing and collecting the revenue;

An act to enable the inhabitants of the congressional townships in the several counties in this state, to express their assent or dissent to the sale of the 16th section in their respective townships;

An act to amend an act entitled an act to establish a state road from Terre Haute to Fort Wayne.

An act to amend the act entitled an act providing for the incorporation of towns, approved January 30, 1824;

An act to provide for the re-location of the seat of Justice of Martin county, and extending the boundaries thereof;

An act for the relief of William Williams and Jesse Gifford;

An act supplemental to an act entitled an act to amend an act entitled an act to provide for the election of electors of President and Vice President of the United States, approved January 23, 1828;

A joint resolution requiring certain duties to be performed by the agent of State, for the town of Indianapolis;

An act to authorize persons to retail spiritous liquors, without the requisitions of a tavern keeper;

An act making specific appropriations for the year 1828;

And also, the following joint resolutions, to-wit:

A joint resolution of the General Assembly of the State of Indiana, on the subject of internal improvements and domestic manufactures;

A joint resolution of the General Assembly;

A joint resolution of the General Assembly of the state of Indiana, authorizing the Treasurer of State to purchase a book and make certain records therein.

Mr. Fletcher, from the joint committee for enrolled bills, reported, that they have compared the following engrossed with the enrolled bill, entitled an act, to-wit:

An act to improve the navigation of certain rivers in this state;

And find the same truly enrolled.

Mr. Thornton, Clerk of the House of Representatives, now informed the Senate, that the Speaker of the House of Representatives having signed several enrolled bills, he was directed to bring them to the Senate, for the signature of their President;

The House of Representatives have adopted the following resolution:

Resolved, That the Senate be informed, that the House of Representatives having gone through their legislative business, are now ready to adjourn, *sine die*.

And the enrolled bills last above reported to have been signed by the Speaker of the House of Representatives, were now signed by the President of the Senate, and handed to the com-

mittee on enrolled bills, to be laid before the Governor, for his approval and signature.

Mr. Lane, from the joint committee on enrolled bills reported, that they did, on this day, present to his Excellency the Governor, for his approval and signature,

An act to improve the navigation of certain rivers in this state.

Mr. Wick, Secretary of State, now informed the Senate, that he was instructed by the Governor, to announce to the Senate, that

An act to divorce Elizabeth and Reuben Stout;

An act to amend an act, entitled an act amendatory of the law, and for the better advancement of justice, approved January 20, 1826;

An act to amend an act, entitled an act to establish county seminaries, in the several counties therein named, approved January 26, 1827;

An act to divorce certain persons therein named;

An act supplemental to an act declaring Blue river a public highway;

An act to provide for surveying and marking a road from Lake Michigan to Indianapolis;

An act to provide for the government of the Seminary of Knox county;

An act to attach certain territory to the counties therein named;

An act to incorporate the Franklin Cotton Manufacturing Company, and the White Water Cotton Manufacturing Company;

An act to amend the several acts now in force in this state, relative to assessing and collecting the revenue;

An act to amend the act entitled an act providing for the incorporation of towns, approved January 30, 1824;

An act for the relief of John Spencer, collector of Dearborn county, and for other purposes.

An act to provide for the re-location of the seat of justice of Martin county, and extending the boundaries thereof;

A joint resolution of the General Assembly of the State of Indiana, on the subject of internal improvements and domestic manufactures;

A joint resolution of the General Assembly of the State of Indiana, authorizing the Treasurer of State to purchase a book and make certain records therein;

A joint resolution of the General Assembly;

An act authorizing the loaning of the seminary funds,
 An act to authorize persons to retail spiritous liquors, without
 the requisitions of a tavern keeper;

An act to improve the navigation of certain rivers in this
 state;

An act to amend an act entitled an act to establish a state
 road from Terre Haute to Fort Wayne;

An act to enable the inhabitants of the congressional town-
 ships in the several counties in this state, to express their assent
 or dissent to the sale of the 16th section in their respective
 townships;

Have, on this day, received his approbation and signa-
 ture.

Mr. Colman from the joint committee appointed to wait up-
 on his Excellency the Governor, and to inform him that both
 Houses of the General Assembly are now ready to adjourn,
sine die, have performed the duty assigned them, and have re-
 ceived for answer, that he has no further communication to
 make to either branch of the General Assembly.

On motion by Mr. Simonson,

Resolved, That the House of Representatives be informed,
 that the Senate having gone through their legislative business,
 are now ready to adjourn, *sine die*.

And Mr. Farnham was instructed to communicate that infor-
 mation to the House of Representatives.

The Senate being about to adjourn, Mr. Thompson, Presi-
 dent of the Senate rose and delivered the following address, to-
 wit:

Gentlemen of the Senate,

The constitutional period of my services, as the presiding of-
 ficer of your honorable body, will terminate with the present
 session, and we will again return to mingle and interchange sen-
 timents and opinions, upon terms of equal reciprocity, with
 those who delegated to us the authority by which we have
 acted as a Senate, and whose right alone it will be to approve
 or disapprove our official acts, as such.

With respect to my relative situation with you, however, I
 feel impelled to say, that notwithstanding the multifarious and
 embarrassing questions incident to this situation, where talents
 and experience, greater than I can boast, are frequently led
 astray, I close the arduous duties of the chair, with the conso-
 ling reflection, that your charity has invariably inclined you
 to attribute any mistakes into which I have fallen, rather to the
 errors of the head than otherwise.

On the eve of separating, probably for the last time, permit me to add to your zealous labors and patriotic exertions for the public weal, my cordial approbation; and, at the same time, to express a wish, that they may have their intended salutary effect on the community, and that those whom you represent may duly appreciate your assiduous attention to their best interests.

I should do great injustice to my feelings, were I not, on this occasion, to assure you, and, through you, your constituents, that the honor conferred, by placing me in the situation from which I am now about to retire, connected with your undeviating liberality and kindness, will be cherished as the proudest and most grateful reflections of my life.

That you may be safely restored to the enjoyments of conjugal and parental ties, and find your respective families and friends blessed with health, participating with us in the favors of Divine Providence, so signally bestowed on our common country, is my heartfelt prayer.

With the ardent aspirations of a friend to your present and future felicity,

Gentlemen,

I bid you an affectionate farewell,

JOHN H. THOMPSON.

And the Senate adjourned, *sine die*.

JAMES DILL, *Secretary*.







